

NSW Treasury

First Nations Investment Framework

A guide to design, economic appraisal and evaluation
of First Nations initiatives

TPG24-28

October 2024

Acknowledgement of Country

We acknowledge that Aboriginal and Torres Strait Islander peoples are the First Peoples and Traditional Custodians of Australia, and the oldest continuing culture in human history.

We pay respect to Elders past and present and commit to respecting the lands we walk on, and the communities we walk with.

We celebrate the deep and enduring connection of Aboriginal and Torres Strait Islander peoples to Country and acknowledge their continuing custodianship of the land, seas and sky.

We acknowledge the ongoing stewardship of Aboriginal and Torres Strait Islander peoples, and the important contribution they make to our communities and economies.

We reflect on the continuing impact of government policies and practices, and recognise our responsibility to work together with and for Aboriginal and Torres Strait Islander peoples, families and communities, towards improved economic, social and cultural outcomes.

Artwork:
Regeneration by Josie Rose



Regeneration

Josie Rose is a Gumbaynggirr woman who expresses her contemporary Gumbaynggirr cultural heritage through art. For *Regeneration* her chosen medium is acrylic paint on canvas and the design embodies both creative and cultural expression. The inspiration for her artworks comes from a deep place of spiritual connection to her family, community, culture and respect for Mother Earth. Gumbaynggirr Country is beautiful land with both freshwater and saltwater waterways which inspire her holistic connection to the Ancestors.

Josie Rose
Artist

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Key information

Key information

Treasury Policy and Guidelines (TPG) is relevant to?	<input checked="" type="checkbox"/> GSF agencies <input checked="" type="checkbox"/> General Government sector <input checked="" type="checkbox"/> Public non-financial corporation <input checked="" type="checkbox"/> Public financial corporation <input checked="" type="checkbox"/> State-owned Corporations <input type="checkbox"/> Other
	<input checked="" type="checkbox"/> Executive agencies related to departments
	<input checked="" type="checkbox"/> Subsidiaries of the NSW Government established under the Corporations Act 2001
Date issued	October 2024
Review date	2026
<input type="checkbox"/> Replaces <input type="checkbox"/> Replaced by	Not applicable
Issuing/Publishing entity	NSW Treasury
Related instrument(s)	TPP18-06 Business Case Guidelines TPG22-04 Submission of Business Cases Policy and Guidelines TPG22-22 Evaluation Policy and Guidelines TPG23-08 NSW Government Guide to Cost-Benefit Analysis
Document approver	Secretary, NSW Treasury
Contact	First Nations Economic Wellbeing fnew@treasury.nsw.gov.au

Document contains

- MANDATORY POLICY compliance set out by NSW Treasury.
 RECOMMENDED POLICY reflecting best practice standards.
 GUIDANCE/ADDITIONAL INFORMATION to provide clarity or explain requirements in detail.

Revision history

Document version number	Approval date	Author	Approver	Description

The First Nations Investment Framework



1.1 Purpose

The First Nations Investment Framework is a guide to good practice in working with First Nations people and communities on the design, appraisal and evaluation of initiatives.

This Framework supports informed design, prioritisation and funding of initiatives and sets out five steps for working with First Nations people to achieve this. These are relevant to both First Nations-specific initiatives and general ones that impact on First Nations people and communities.

The Framework supplements the NSW Government's existing policies and guidance for building evidence across the investment lifecycle, from initial business case development through to all types of post-implementation evaluation.

1.2 Overview

Appraisals and evaluations provide important evidence to support the effective allocation of public resources to improve wellbeing for the people of NSW.

As initiatives are designed, economic appraisals through business cases and cost-benefit analyses (Insight 1) set out a process for clearly articulating objectives, and developing and comparing a range of options. Evaluations help to shape advice on whether to invest further, scale back, or make changes to initiatives by assessing how they are performing and whether they are delivering on their objectives. Evaluation evidence can also provide insights for future similar or related investments.

This Framework comprises **five steps** for proponents to work through when using and developing evidence for initiatives that impact First Nations people and communities (Figure 1).

Foundations for genuine relationships

(Chapter 2)

Partnership for shared decision making

(Chapter 3)

Community-led design

(Chapter 4)

Data collection, access and analysis

(Chapter 5)

Transparency and accountability

(Chapter 6)

These steps are applicable across the investment lifecycle (Figure 2). This includes:

- initial scoping and understanding the case for change
- the design and appraisal of options in a business case using cost-benefit analysis
- monitoring and all types of evaluations (process, outcome and economic) during or after implementation.

A **Technical Appendix** (Appendix A) outlines how the steps of the Framework can be applied at each step of a cost-benefit analysis (CBA), with a focus on the role of First Nations cultures in improving outcomes. This includes methodological guidance on defining a base case, developing options, identifying and valuing costs and benefits, and presenting results.

Framework development

The five steps of the Framework address common gaps in knowledge and capability identified from research on current practice, and consultation with stakeholders across government and First Nations community organisations.

The key findings from this process are set out in the following two NSW Treasury research papers:

- [Shaping evaluation of policies and programs impacting First Nations people – Consultation listening series](#) (August 2022).
- [Valuing First Nations Cultures in Cost-Benefit Analysis](#) (March 2024).

The Framework responds to the NSW Treasury commitment in the [2022-2024 NSW Implementation Plan for Closing the Gap](#)¹ to embed First Nations perspectives into how government programs and funding arrangements are evaluated. This deliverable sits under **Priority Reform 3**: Transforming government organisations.

The Framework also supports progress within the broader priority reform areas agreed under the [National Agreement on Closing the Gap](#)²: **Priority Reform 1**: Formal partnerships and shared decision-making, **Priority Reform 2**: Building the Community-Controlled Sector and **Priority Reform 4**: Shared access to data and information at a regional level. Refer to Section 3.1 for additional information on Closing the Gap implementation.

1 NSW Government 2022.

2 Council of Australian Governments 2020.

Insight 1: What is cost-benefit analysis (CBA) and why is it important?

In NSW, CBA is the preferred method for assessing the relative merit of proposed government initiatives, including policies, programs, regulatory changes and infrastructure projects.

CBA is a form of economic analysis and offers a structure for assessing government initiatives in terms of their capacity to improve welfare, compared to the required investment. This determines the 'net benefit' to society. CBA is an important component of business cases seeking funding through the NSW Budget process.

CBA is more than a financial analysis; it attempts to capture the full range of an initiative's monetary and non-monetary benefits – including economic, social, environmental and cultural costs and benefits. This allows decision makers to directly compare the benefits and costs of initiatives on a like-for-like basis. Where impacts cannot be quantified or expressed in monetary terms, CBA allows for a qualitative description of impacts

as well as a sensitivity analysis to test how assumptions or impacts could vary. This provides decision makers with comprehensive analysis and evidence to support their considerations.

As a first step to identifying and valuing benefits, the initiative's objective must be clearly defined. Outcomes that can be attributed to an initiative are compared with a base case (i.e. the 'business as usual' scenario) and realistic alternative options. The benefits and costs of options are measured, valued and assessed to determine the preferred approach.

CBA can incorporate uncertainty through sensitivity tests or Monte Carlo analysis to examine how the distribution of results might change under different scenarios or assumptions. CBA can be undertaken before implementation of an initiative (known as an ex-ante CBA), during or after an initiative is complete (known as an ex-post CBA).

Ex-post CBA offers a valuable assessment of observed impacts to determine the efficiency and effectiveness of an initiative. This helps to build a base of evidence on 'what works' and steer the direction of new or existing initiatives to deliver better outcomes.

Applying the Framework

The Framework has been prepared to support the design, appraisal or evaluation of initiatives which impact First Nations people and communities.

The guidance is relevant to **both** general and First Nations-specific initiatives.

Some examples of initiatives likely to benefit from application of the Framework include:

- initiatives that influence outcomes for First Nations people or communities, including the Priority Reforms and Socio-economic targets agreed under the [National Agreement on Closing the Gap](#)
- initiatives that impact on First Nations people's rights and interests in land, water or specific cultural heritage places and objects
- targeted and mainstream programs or services where First Nations people are a priority cohort, and
- infrastructure projects to be delivered in communities with a significant First Nations population.

Just as individual initiatives vary in size, scale, strategic priority and risk, the application of this Framework requires a flexible approach.

Proponents are encouraged to consider and work through each step in a way that is proportionate to the scope of the appraisal or evaluation and the significance of the initiative to the people and communities involved.

Study 1 provides an example of the outcomes that can be achieved when proponents develop early relationships that enable them to work in partnership with First Nations people and communities.

Key terms:

- **Initiative** refers to a policy, strategy, project, program, service or regulation.
- **Proponent** refers to any government agency or other organisation (including those contracted by government) that is:
 - developing an initiative to be considered by the NSW Government for funding, or
 - undertaking an evaluation of a NSW Government funded initiative.
 - Where used in relation to an individual, this term refers to employees or other representatives of the overarching ‘proponent’ agency or organisation.
- **Communities** may include service recipients or users, individuals or groups with relevant property rights, residents in a specific geographical area (suburb, town, region), people within a specific cohort or language group, people with relevant expertise, service providers or representative bodies.

Acknowledgements and further resources

NSW Treasury acknowledges the contributions of First Nations community representatives in developing this Framework, including NSW Aboriginal Regional Alliances, the NSW Coalition of Aboriginal Peak Organisations (NSW CAPO) and its member organisations.

There is also a wealth of published resources on the concepts covered in this Framework. We acknowledge the significant work, including by First Nations people and organisations, upon which the Framework relies. Key references are provided as links at the end of each section and listed in full in Appendix C. Proponents are encouraged to review these resources where they require more detailed information.

Further assistance

Contact NSW Treasury’s First Nations Economic Wellbeing Branch early to work through any issues or queries in applying this guidance. Please direct emails to fnew@treasury.nsw.gov.au

NSW Treasury acknowledges that there are different views and preferences on terminology when referring to First Nations people and that no single term can appropriately reflect the diversity of First Nations cultures.

In this Framework, ‘First Nations’ is applied in reference to Aboriginal or Torres Strait Islander people residing in NSW.

When referencing external sources, other terms, including ‘Aboriginal’ or ‘Indigenous’ are sometimes used. The acronyms ‘ACCO’ and ‘ACCHO’ are used to reference an ‘Aboriginal Community Controlled [Health] Organisation’ as these are established in community parlance.

In applying this Framework, proponents are encouraged to identify each individual First Nations community that they are working with and follow local protocols for naming in language.

Study 1: Delivering tangible impact for First Nations people and communities by establishing early relationships, listening and working in partnership

Abergeldie Complex Infrastructure (Abergeldie) was selected to deliver the New Dubbo Bridge project for Transport for NSW, as part of the Newell Highway Upgrade jointly funded by the Australian and NSW Governments.

Dubbo is Wiradjuri Country and home to more than 14,300 First Nations people, making up almost 16 per cent of the city's population.³ According to Three Rivers Regional Assembly (TRRA), the Local Decision Making (LDM) governance body for the Three Rivers region, 32 per cent of the project workforce identify as First Nations people.

This high proportion of First Nations employment can be attributed to Abergeldie's early engagement with TRRA and commitment to establishing strong relationships with the local community.

According to Robert Riley, chairperson of the Dubbo Aboriginal Working Party:

'It's been a true conversation between Abergeldie and Transport for NSW, and the Aboriginal community from the start.

These employment opportunities actually change lives. I know of young people working on the project who are now the highest paid worker in the family at 19 or 20 years old, I know of grandfathers who are the leader of the family and can make more things happen now for their grandkids, for their nephews, for their nieces.

The true indication of getting the great results that we've gotten to date is because the consultation happened from day one.

It is important to have local First Nations people working on these jobs. Often people are engaged from other communities, who have no connection to place, and local people lose out.'

Abergeldie and TRRA are working together on a plan to restore a stone wall impacted by the project in a way that the community wants, at Wiradjuri Park. Abergeldie is also involving the local community in the project, such as having local students painting handprints on a section of the bridge under a partnership with the NSW Aboriginal Education Consultative Group.

Robert's advice for future projects is that:

We need to make sure contractors are coming into communities before they commence works, to build local relationships and understand how the project can best support local First Nations people. We're not just talking about percentages in the Aboriginal Procurement Policy, we're talking about people's livelihoods.'

3 Australian Bureau of Statistics 2021.

1.3 Summary of requirements

This Framework does not outline mandatory requirements.

Instead, it is a resource to support proponents to fulfil the existing requirements set out under the NSW Government's suite of investment framework policies and guidance (Figure 2) in a way that is consistent with the NSW Government's commitments on working with First Nations people and communities.

A list of related NSW Government policies and agreements that this Framework helps to implement is provided in Table 1.

The Framework is intended to be supplementary and does not replace existing requirements and information in these documents.

Figure 2: The suite of NSW Government Investment Framework policies and guidelines

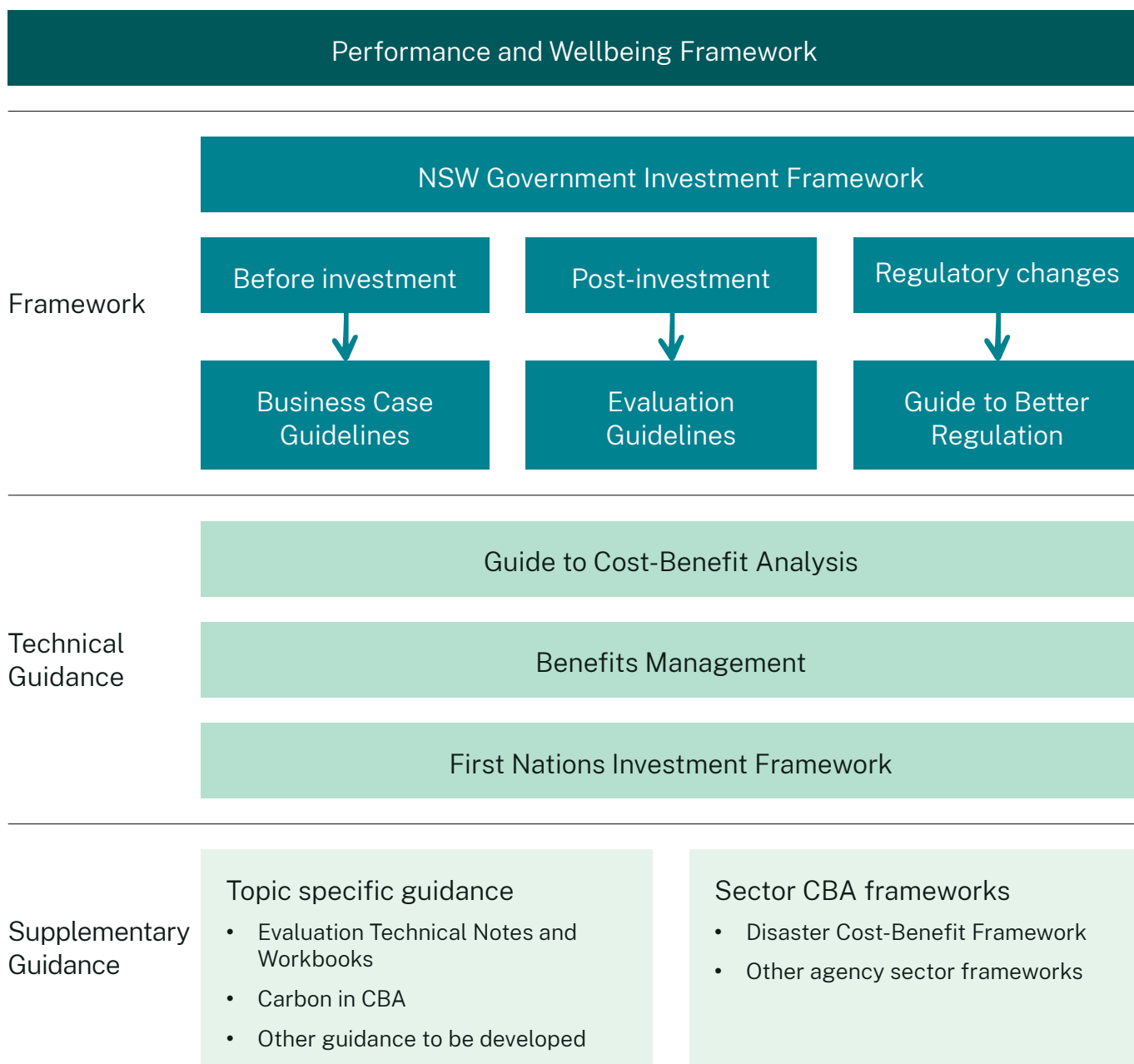


Table 1: Related NSW Government policies and agreements

First Nations-specific policies and agreements	
<u>OCHRE (Opportunity, Choice, Healing, Responsibility, Empowerment) Plan (2013)</u>	Overarching NSW Government plan for Aboriginal affairs, with a focus on education, employment, service delivery and accountability.
<u>National Agreement on Closing the Gap (2020)</u>	Formalises the commitment to work in partnership with First Nations people and communities, including sharing decision-making on the design, implementation, monitoring and evaluation of policies and programs.
<u>NSW Partnership Agreement between the NSW Coalition of Aboriginal Peak Organisations, the NSW Government and Local Government NSW (2024)</u>	Formalises the partnership arrangements for implementation of the National Agreement on Closing the Gap in NSW. This includes an additional NSW-specific priority reform focused on employment, business growth and economic prosperity.
Investment Framework policies and guidelines	
<u>Submission of Business Cases Guidelines (TPG22-04)</u>	Mandatory evidence requirements for submission of business cases.
<u>Business Case Guidelines (TPP18-06)</u>	Best practice, clear and consistent approach to preparing business cases.
<u>Cost-Benefit Analysis Guidelines (TPG23-08)</u>	Sets out how to undertake cost-benefit analyses for NSW Government initiatives.
<u>Evaluation Guidelines (TPG22-22)</u>	Mandatory requirements, recommendations and guidance on planning and conducting evaluations. Supported by a range of supplementary guidance materials including workbooks and technical notes.
<u>Benefits Realisation Management Framework</u>	Best practice principles and concepts to inform investment decisions and establish plans to help realise the intended benefits of an initiative.

Framework structure

Table 2 outlines the key concepts covered in each chapter of the Framework. Each chapter includes:

- practical guidance on the area of focus
- guiding questions to consider

- case studies illustrating how the principles have been applied
- links to further resources for more detailed information.

Table 2: Chapter overview

Section	Focus
2. Foundations for genuine relationships	
Early considerations when working in a First Nations context.	
2.1 Cultural safety	<ul style="list-style-type: none"> • Understanding cultural safety and ways to help support cultural safety at an individual and organisational level.
2.2 Principles-based approach	<ul style="list-style-type: none"> • Adopting a set of standards to guide how proponents will work with First Nations people and communities.
2.3 Planning and resourcing	<ul style="list-style-type: none"> • Allowing appropriate time and resourcing in project planning stages to build and maintain genuine relationships.
2.4 Ethical responsibilities and approvals	<ul style="list-style-type: none"> • Overview of ethical considerations and the requirements to seek formal ethics approvals.
3. Partnership for shared decision-making	
Steps for exploring and establishing partnerships with First Nations stakeholders.	
3.1 What constitutes a partnership?	<ul style="list-style-type: none"> • Identifying the features of a genuine partnership, where it sits on the ‘spectrum of engagement’ and the NSW Government’s policy commitments in this area.
3.2 Exploring a potential partnership	<ul style="list-style-type: none"> • Considerations for exploring: <ul style="list-style-type: none"> – who the potential partners are – what the scope of the partnership could look like – how you can work together.
3.3 Formalising a partnership	<ul style="list-style-type: none"> • Establishing governance arrangements and a written agreement that sets out how a partnership will operate.
3.4 Case studies: Partnership in practice	<ul style="list-style-type: none"> • Examples of how partnership with First Nations people and communities can be embedded into the design and evaluation of initiatives.
3.5 Procuring third parties to support business cases and evaluations	<ul style="list-style-type: none"> • How to appoint suppliers that have the required capability and experience to work successfully in partnership with First Nations people and communities.

Section	Focus
4. Community-led design	
Taking a local approach and centring First Nations perspectives in design and evaluation of initiatives.	
4.1 Making a case for change	<ul style="list-style-type: none"> Working in partnership with First Nations people to identify the problem or opportunity requiring Government action and articulate the case for change from community's perspective.
4.2 Community-defined outcomes	<ul style="list-style-type: none"> Introduces a cultural economic framework to support the development of options that are tied to the outcomes sought by communities.
4.3 Developing a logic model	<ul style="list-style-type: none"> Showing how the actions flowing from an initiative are expected to address the identified problem or opportunity.
5. Data collection, access and analysis	
Embedding the principles of Indigenous Data Sovereignty and Governance in evaluation practice.	
5.1 What data is important?	<ul style="list-style-type: none"> Understanding the types of data and information that are important to First Nations people and aligning this to community-identified outcomes.
5.2 Data sovereignty and governance	<ul style="list-style-type: none"> Identifying and embedding Indigenous Data Sovereignty and Indigenous Data Governance principles and protocols.
5.3 Data collection and First Nations evaluation methodologies	<ul style="list-style-type: none"> Identifying and using methods to protect cultural safety, culturally appropriate data collection and storage.
5.4 Analysis and interpretation	<ul style="list-style-type: none"> Enabling First Nations partners to understand and analyse data and support skills development to address capacity and capability challenges.
6. Transparency and accountability	
Facilitating accountability in initiatives through information sharing and effective partnerships.	
6.1 Facilitating accountability early in the policy process	<ul style="list-style-type: none"> Developing a shared understanding of who is accountable for what in the early stages of developing initiatives.
6.2 Reporting findings	<ul style="list-style-type: none"> Sharing the findings of initiative appraisals and evaluations with First Nations stakeholders.
6.3 Publishing reports	<ul style="list-style-type: none"> Understanding how publishing evaluations helps to build the evidence base for First Nations initiatives.
6.4 Use of evaluation findings	<ul style="list-style-type: none"> Using evaluation findings to inform future work and communicating plans to stakeholders.
Appendices	
Appendix A – Cost-benefit analysis (CBA)	<ul style="list-style-type: none"> How to apply the broader guidance in the First Nations Investment Framework at each step of CBA. This includes methodological guidance on: <ul style="list-style-type: none"> defining a base case developing options identifying and valuing costs and benefits presenting results. <p>This appendix places a focus on the role of First Nations cultures in improving outcomes.</p>
Appendix B – Definitions	<ul style="list-style-type: none"> The meaning of key terms used in this TPG.
Appendix C – References	<ul style="list-style-type: none"> List of references, organised by chapter.

Foundations for genuine relationships



Embedding a First Nations centred approach into the design and evaluation of initiatives relies on establishing and maintaining genuine, trusted relationships with First Nations people and communities.

This chapter outlines four foundational areas to work through in preparation for building these relationships:

- **Cultural safety:** moving beyond cultural awareness, towards critical self-reflection and adaptation to support an environment that respects, understands and values cultural differences and is free from racism, discrimination and bias (Section 2.1).
- **Adopting a principles-based approach:** defining the overarching standards for working with, and incorporating, First Nations perspectives and priorities, to guide actions, decisions, build trust and ensure accountability (Section 2.2).

- **Planning and resourcing:** allowing adequate time and funding, including for travel, to build and maintain relationships in line with community protocols (Section 2.3).
- **Understanding ethical responsibilities:** recognising the importance of ensuring that any proposed work will genuinely benefit First Nations people and communities, mitigating risks and seeking consent as a mechanism for self-determination (Section 2.4).

NSW Treasury's consultations with First Nations people and organisations highlighted that further work in these areas would help to lift cultural capability across the public sector and address structural biases in mainstream evaluation practice.⁴

Opportunity

Reflect internally on ways of working and proactively adapt approaches to set the foundations for genuine, trusting relationships with First Nations people and communities.

⁴ NSW Treasury 2022.

2.1 Cultural safety

Building effective partnerships with First Nations people and communities requires a culturally safe environment. 'Cultural safety' is characterised by interactions and relationships that are grounded in trust and respect, and value different cultural protocols, norms and knowledge – free from racism, discrimination and bias.

The NSW Public Service Commission defines cultural safety as the creation of 'an environment where everyone is open-minded and flexible in attitudes towards people from cultures other than their own and understand that their own values or practices are not always, or only, the best way, to solve workplace problems'. Their consultations defined such an environment as one 'where I can bring my whole self' or 'where I feel safe with no judgement'.⁵

Another description of cultural safety is 'an environment which is safe for people; where there is no assault, challenge or denial of their identity, of who they are and what they need'.⁶

Cultural safety enables First Nations people and communities to access, be involved in, and thrive within workplaces and services.⁷ It upholds many of the principles in the United Nations Declaration on the Rights of Indigenous Peoples.⁸

A lack of cultural safety can limit the success of initiatives designed to improve outcomes for First Nations people and communities. Consequences of a lack of cultural safety can include:

- harming the wellbeing of First Nations people
- the erosion of trust with First Nations people and communities
- reduced engagement by First Nations people, both as stakeholders and service users
- the resurfacing of past traumas, particularly those stemming from government policies.

Cultural safety can improve the effectiveness of initiatives and the quality of evaluations, leading to better outcomes.

'Evaluators that learn about culturally safe practice and engage with us in a meaningful way will have better access to our perspectives and experiences and achieve more comprehensive results in their evaluations.'

Tony Kiessler, Australian First Nations evaluator⁹

5 NSW Public Service Commission 2023.

6 Williams 1999.

7 Gollan & Stacey 2021.

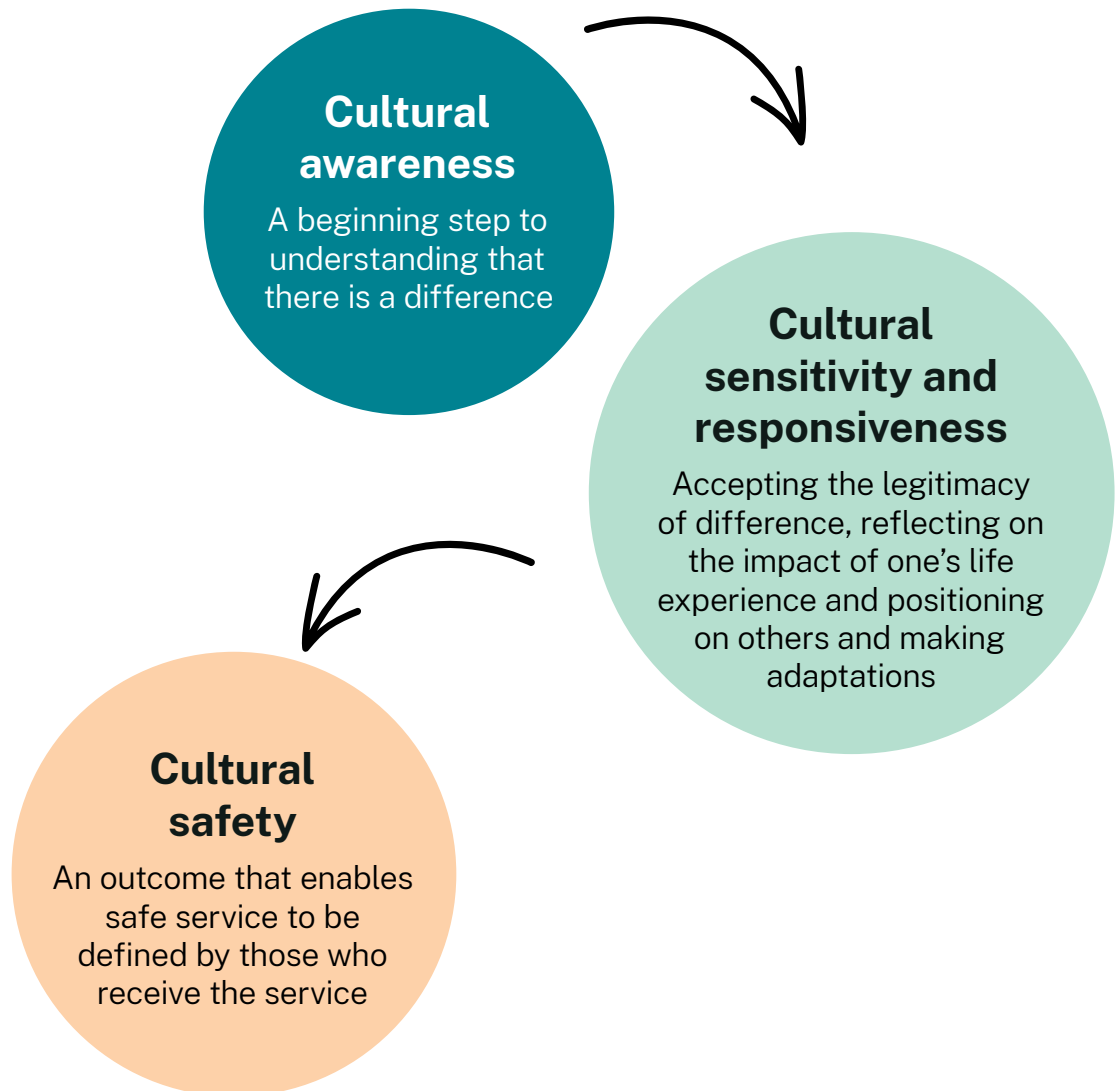
8 UN General Assembly 2007.

9 Gollan & Stacey 2021, p.31.

Cultural safety extends beyond cultural awareness

Cultural safety can be viewed on a continuum (Figure 3). It extends beyond awareness of cultural differences, towards proactive actions to help create culturally safe experiences and interactions.

Figure 3: A model for understanding cultural safety



Source: Adapted from Ramsden (2002), Australian Human Rights Commission (2018) and NSW Department of Education (2023).

For some organisations, a deeper understanding of First Nations cultures and history will be necessary to foster cultural safety. In this way, cultural safety is about having a safe approach to difficult conversations, rather than avoiding them or approaching them carelessly.

In the context of applying this Framework, cultural safety is best determined by First Nations people.

Cultural safety is an outcome that is defined by an individual's experience. It is not an output that a proponent can claim to provide.¹⁰

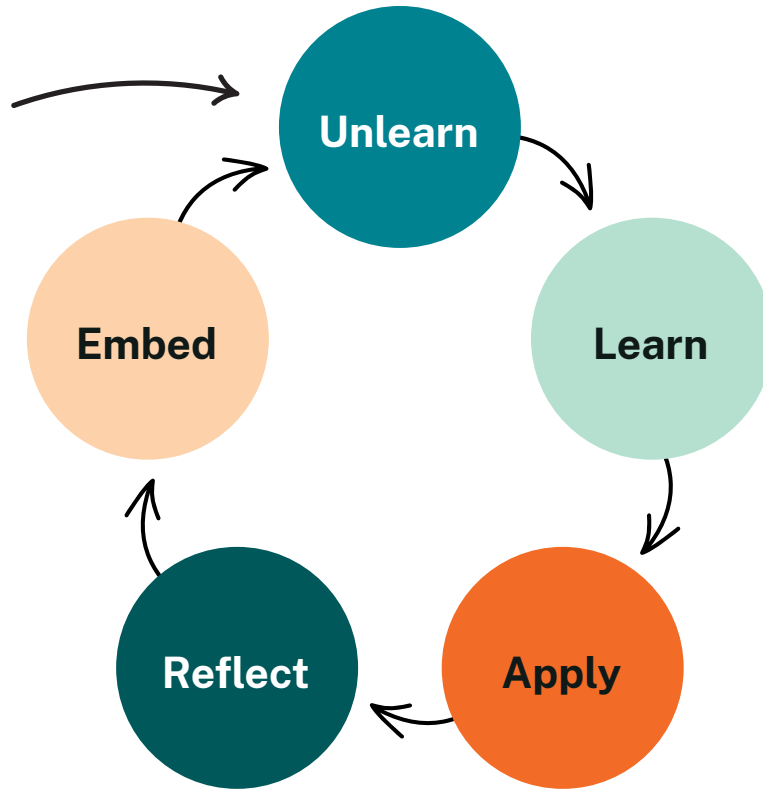
It is important to listen to the experiences of First Nations people, especially when they raise concerns about cultural safety. Though this outcome may not be intended, proponents may need to address any biases that may have led to these concerns.

¹⁰ Walker et al 2014, Gollan & Stacey 2021.

Critical self-reflection can help to create cultural safety

There are many resources available to support the creation of cultural safety in different contexts (see 'Further resources' below). A common theme is the need for critical reflection and commitment to continuous improvement (Figure 4). This can help identify where a proponent may need to accommodate First Nations perspectives, knowledge and protocols.

Figure 4: Improving cultural safety as an ongoing learning process



Unlearn – Challenge what is established as ‘the norm’ and question what is accepted so a non-biased and more balanced set of shared values and ways of doing things can be learnt.

Learn – Understand why ‘established’ or ‘usual’ practice is not always the best way to learn. Learn other, more balanced ways to learn as part of everyday practice.

Apply – Implement what is learnt to create positive interactions and environments.

Reflect – Continually challenge assumptions, which may require returning to the unlearning and learning stages to gain more knowledge.

Embed – Implement continuous quality improvement to reform systems, procedures, policies, strategies, programs, procurement, workplace culture, accountability and monitoring.

Source: Adapted from Victorian Department of Health (2021).

At the individual level, this involves asking ourselves challenging questions to better understand the values and beliefs we hold about ourselves, others and the experiences that shaped us.¹¹ Individuals need to be self-aware of their cultural biases and assumptions, and the power they exercise in their relationships with First Nations people, organisations and communities.

Regular cultural safety training and use of cultural safety assessment tools can help to guide and inform this ongoing reflection and adaptation process. Examples, such as the NSW Public Service Commission's cultural capability guide, are listed in 'Further resources' below.

Cultural safety at an organisational level

Cultural safety is influenced by both individual interactions and broader systemic policies and practices at an organisational level.

'Evaluation that centres Aboriginal and Torres Strait Islander people won't go very far if the decisions made from it still occur in an Indigenous-free zone.'

Workshop participant¹²

Reflect on your organisational policies, procedures and practices to determine what barriers might exist and address any issues of racism, discrimination or bias.

Adapting a business-as-usual approach will not be enough for most government agencies. Transformation of organisational attitudes and approaches may be required to create cultural safety for First Nations people interacting with an organisation.

Workplaces may need to structure their employment conditions to meet the needs of First Nations people's cultural obligations and participation. It can also require reforming leadership accountabilities, strategies, policies and procedures for delivering services internally and externally. For example, this could include:

- consulting with community leaders or engaging cultural experts to help ensure strategies, policies, procedures and practices are culturally safe
- establishing mechanisms for regular and meaningful discussions with First Nations employees and other stakeholders as new policies and practices are developed.

Be aware that First Nations people often bear an invisible, cultural load in their workplace. This can arise if they are expected to educate non-Indigenous colleagues on culture and racism or are constantly called upon to represent all First Nations people.¹³ Opportunities to learn from First Nations colleagues and stakeholders should be approached with a mindset of critical self-reflection and learning.

Such critical self-reflection at the individual and organisation level can help identify actions to better support cultural safety. This could, for example, include:

- embedding cultural safety training into staff development plans
- changing employment arrangements to better accommodate the needs of First Nations staff
- reviewing organisational policies to better support First Nations cultural safety
- raising awareness and practise of relevant First Nations cultural protocols
- ensuring that staff are aware of how trauma affects First Nations people and communities
- ensuring that organisational policies accommodate First Nations stakeholders, especially through appropriate flexibility and resourcing.

'Further resources' below includes references to additional information on cultural safety in business environments, as well as learning platforms and materials.

Consider cultural safety in procuring third parties

Cultural safety should be considered when procuring third parties to support the design of initiatives, development of business cases, cost-benefit analyses, performance monitoring and post-implementation evaluation.

Section 3.5 provides guidance on potential criteria to assess cultural capability, as well as other considerations for procurement processes.

¹¹ Somerville & Keeling 2004.

¹² Productivity Commission 2020a, p.292.

¹³ Brown et al. 2020.

Further resources

The Australian Evaluation Society's [First Nations Cultural Safety Framework](#) provides guidance on ensuring culturally safe evaluation practice. This framework provides proponents with practical information on practises, roles and responsibilities.

There are also sector-specific cultural safety frameworks. Examples include:

- [Aboriginal and Torres Strait Islander cultural safety framework for the Victorian health, human and community services sector](#) (Victorian Department of Health, 2021)
- [Aboriginal Cultural Safety Workbook for Community Legal Centres](#) (Community Legal Centres NSW, 2016)
- [Cultural Responsiveness in Action: An Indigenous Allied Health Australia \(IAHA\) Framework](#) (IAHA, 2019)
- [Cultural Safety and Responsiveness – Children and Family Intensive Support Providers](#) (Australian Department of Social Services, 2022)
- [Cultural Safety and Wellbeing: Evidence review](#) (NSW Department of Communities and Justice, 2022)
- [Cultural safety in health care for Indigenous Australians: monitoring framework](#) (Australian Institute of Health and Welfare, 2023)
- [Cultural safety in Indigenous Research](#) (Dr Sadie Heckenberg, 2019)

- [Keeping our kids safe: Cultural safety and the National Principles for Child Safe Organisations](#) (Australian Department of Prime Minister and Cabinet, 2021)
- Under development: [Aboriginal Cultural Safety Framework for Early Childhood Education and Care](#) (NSW Department of Education, 2023)

Some examples of cultural safety training and assessment tools include:

- [Cultural Capability Guide](#) (NSW Public Service Commission, 2023).
- [Aboriginal and Torres Strait Islander cultural safety framework – Cultural safety continuum reflective tool](#) (Victorian Department of Health, 2021)
- [Aboriginal and/or Torres Strait Islander cultural capability toolkit](#) (Victorian Public Sector Commission 2022)
- [Aboriginal Cultural Competence Training](#) (Reconciliation NSW, n.d.)
- [Aboriginal and Torres Strait Islander Cultural Capability Framework](#) (Australian Public Service Commission 2019)
- [Core Cultural Learning](#) (Australian Institute of Aboriginal and Torres Strait Islander Studies, 2023)
- [Cultural Safety Training](#) (Victorian Aboriginal Community Controlled Health Organisation, 2024)
- [Education and Training](#) (National Centre for Cultural Competence, University of Sydney 2024)

Guiding questions – assessing and developing cultural safety

- Have you explored relevant resources to gain an understanding of how to support cultural safety in your work and organisation?
- Can you recognise racism? Do you address racism in your own and others' practise?
- Do you listen to and respect what First Nations people tell you, even if it is difficult to hear?
- Are you able to accept criticism and adapt your approach in response?
- Are you, your organisation and any contracted third parties qualified to do this work?
- How will you assess your individual, team and practitioner biases and assumptions?
 - In what ways are they likely to affect your approach to working with First Nations people and communities?
- What kind of cultural awareness training have staff completed?
- Do your organisation's business-as-usual approaches (including guidance documents) accommodate First Nations stakeholders? Have you considered how these ways of working could present barriers to First Nations people?

2.2 Principles-based approach

Adopting a set of overarching principles is a foundation for working with First Nations people and communities. Principles set the standards that guide how a proponent undertakes their work and provide direction on how to meet the objectives of an initiative.

Taking a principles-based approach in a First Nations context can:

- **Provide focus and direction:** so that actions and decisions are consistently guided by the elements that are important to build genuine, respectful relationships with First Nations people and communities.
- **Elevate and integrate First Nations cultures, priorities and perspectives:** to embed First Nations ways of knowing, being and doing into your approach, so that work is culturally responsive and aligned with the priorities of First Nations people and communities.
- **Build trust with First Nations stakeholders:** by establishing a common understanding of what is important, shared objectives and expectations for how work will be undertaken.
- **Ensure accountability:** so that proponents and stakeholders can identify and adjust where actions and decisions have, or are at risk of, deviating from the original overarching principles.

Tailor and target principles to reflect what's most important

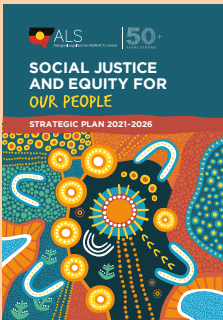
A principles-based approach will be most meaningful when proponents have tailored their guiding principles to reflect what is most important for their work.

Table 3 presents ten varied sets of principles adopted by different proponents to guide their approach in working with First Nations people and communities. While there are common themes across many, each approach also focuses on distinct areas. Principles that are directly relevant to the nature of the work will be more readily implemented.

As a starting point, principles should elevate and centre the priorities and perspectives of First Nations people and communities. Principles should also represent enduring values.

Target principles as much as possible. Try not to have too many, as you may risk a loss of focus when putting them into practice. If principles overlap, consider merging or re-defining them.

Table 3: Examples of principles-based approaches

Example	Application	Principles
Principles established by First Nations peak organisations		
<p>AH&MRC NSW Aboriginal Health Ethics Guidelines: Key Principles (2021)</p>		<p>Research that may affect the health and wellbeing of Aboriginal people and communities in NSW</p> <ul style="list-style-type: none"> • Net Benefits for Aboriginal people and communities • Aboriginal Community Control of Research • Cultural sensitivity • Reimbursement of costs • Enhancing Aboriginal skills and knowledge
<p>Aboriginal Legal Service (ALS) (NSW/ACT) Limited Strategic Plan 2021-2026 (2021)</p>		<p>The work of the ALS in providing quality and culturally appropriate legal services for Aboriginal and Torres Strait Islander people</p> <ul style="list-style-type: none"> • We are proudly Aboriginal • We are community focused • We are fearless in our advocacy • We are accountable • We make a difference to create better futures • We acknowledge and respect land, traditional values and cultural practices
<p>First Peoples Disability Network (FPDN) (2024)</p>	<p>The work of the FPDN in advocating and delivering projects for First Nations people with disability, their families and communities</p>	<ul style="list-style-type: none"> • We work within a social model of disability, which recognises that disability is produced by barriers to equality and participation for people with impairments that must be dismantled • We work with First Peoples with disability, their families and communities across Australia, to ensure that our work reflects their diversity and priorities • We work with all First Peoples communities to create and maintain a safe and secure place for the exchange of ideas, the building of alliances, and the formulation of priorities, between and across community divides • We are passionate, determined, and committed to our work • We lead change, not react to it • We are innovative, creative, and solution-focused • We are accountable in all aspects of our work to First Peoples with disability and their families, our communities, and to the community generally

Example

Application

Principles

Overarching principles for working in partnership on Closing the Gap in NSW

Partnership Agreement on Closing the Gap in NSW – between the NSW Coalition of Aboriginal Peak Organisations (NSW CAPO), the NSW Government and Local Government NSW (2024)



Implementation of the National Agreement on Closing the Gap, including the design, implementation, monitoring and evaluation of policies and programs to improve life outcomes for Aboriginal and Torres Strait Islander people.

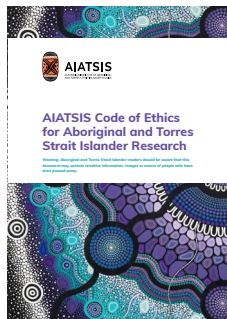
Overall alignment to the principles in the United Nations Declaration on the Rights of Indigenous Peoples

Additional principles on ways of working in partnership:

- Transparency
- Accountability
- Acknowledging demands of shared decision-making
- Mutual respect
- Inclusion

Principles for working with First Nations people and communities on research and evaluation

AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research (2020a)



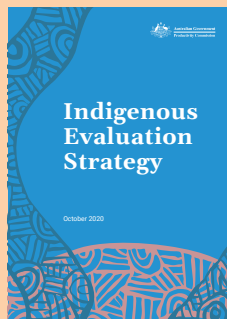
All research that impacts or is of particular significance to Aboriginal and Torres Strait Islander peoples

Core ethical value: Integrity

Principles:

- Indigenous self-determination
- Indigenous leadership
- Impact and value
- Sustainability and accountability

Productivity Commission Indigenous Evaluation Strategy (2020c)

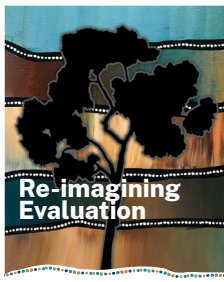



The selection, planning, commissioning, conduct and use of evaluations of Australian Government policies and programs affecting Aboriginal and Torres Strait Islander people

Overarching principle: Centring Aboriginal and Torres Strait Islander people, perspectives, priorities and knowledges

Other principles:

- Credible
- Useful
- Ethical
- Transparent

Example	Application	Principles
Sector-specific principles that guide NSW Government agencies		
<p>NSW Department of Education: Culturally-Responsive Evaluation Framework (2023)</p> <p>(Further details on the development of these principles is provided in Study 2)</p>	 <p>Evaluation and everyday practice in public education, across all settings from early childhood, to the tertiary and VET sectors</p>	<p>Core principle: Our Students and Aboriginal Family Sovereignty</p> <p>Other principles:</p> <ul style="list-style-type: none"> • Relationships • Place • Yarning • Responsibility and Credibility • Empowering Change
<p>NSW Department of Planning, Industry & Environment</p> <p>Our Place on Country Aboriginal Outcomes Strategy 2020-2023 (2020)</p>	 <p>All work of the (then) Department of Planning, Industry and Environment</p>	<ul style="list-style-type: none"> • Acknowledge, value and embed Aboriginal cultural knowledge and world views in program delivery and business as usual • Respect Aboriginal people's rights, obligations and roles as Traditional Custodians of the land, sea and waterways • Promote and strengthen connections to culture and identity • Prioritise economic independence for Aboriginal people through increased employment and enterprise development • Establish and maintain meaningful ongoing relationships with Aboriginal people and Country • Recognise appropriate engagement and connection with Aboriginal people and Country as core to our service delivery

Example

NSW Department of Regional NSW (DRNSW) Aboriginal Outcomes Strategy 2022-2025 (2022)



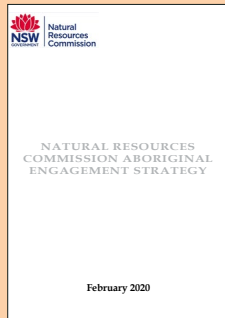
Application

DRNSW staff, in delivering the department's core business

Principles

- Actively pursue a greater understanding of the Aboriginal communities in which we serve, and integrating this knowledge into our work practices and processes
- Increasing our Aboriginal workforce across all areas of our organisation and at all levels as we become an employer of choice for Aboriginal people
- Co-design and self-determination principles, which are crucial to strong working relationships with Aboriginal people and communities in Regional NSW
- Supporting economic prosperity for Aboriginal people and businesses
- Enabling greater choice, access and control for Aboriginal people and communities over land and water, housing and resources

NSW Natural Resources Commission (NRC) Aboriginal Engagement Strategy (2020)



The NRC's engagement with Aboriginal people on natural resource management

- We value and integrate cultural knowledge
- We respect Aboriginal custodianship and connection to Country
- We acknowledge the impacts of past and ongoing trauma
- We support beneficial relationships
- We recognise the diversity of culture, knowledge, protocols and obligations
- We take the time to plan and deliver meaningful and respectful engagement
- We seek advice, seek feedback and evaluate our engagement

Test and agree principles with First Nations stakeholders

Principles need to be tested and agreed with First Nations stakeholders. This can help to build trust and demonstrate your commitment to listening and acting on feedback, setting the foundations for an effective working relationship.

Make a habit of returning to your principles to guide your approach

Once principles have been agreed, ensure that they are integrated into your ways of working. This might include returning to principles at key decision or review points, to confirm that the principles are being adhered to.

Depending on the scope and audience, it may also be useful to develop additional, tailored materials to support practical application of each principle. An example of this material is referenced in Study 2.

Guiding questions – developing and adopting a principles-based approach

- How will your approach incorporate First Nations priorities, perspectives and ways of knowing, being and doing?
- How will you test and agree the principles with First Nations people and communities?
- How will you ensure that the principles guide your actions and decisions?

Study 2: Re-imagining Evaluation: A Culturally Responsive Evaluation Framework for the NSW Department of Education

The NSW Department of Education has developed a culturally responsive, principles-based evaluation framework that emphasises the importance of centring Aboriginal students, families and communities at the heart of evaluation.¹⁴ This framework aims to challenge existing assumptions and power relationships in education so that Aboriginal peoples are included as valued partners in evaluation.

What does Re-imagining Evaluation cover?

The Re-imagining Evaluation framework is underpinned by six Guiding Principles:

- **Our Students and Aboriginal Family Sovereignty** honours the centrality of family and kinship structures for Aboriginal peoples, and the right for Aboriginal families to be included in decision-making. This principle sits at the core of the framework and aims to centre and elevate Aboriginal priorities, perspectives and aspirations.
- **Relationships** recognises that developing an environment of trust between parties takes time and effort. When it comes to evaluation and planning, strong and authentic relationships must be established that allow both parties to listen, learn and share.
- **Place** acknowledges the need for flexibility and adaptation to local needs, recognition of local community protocols, and the importance of deep listening, honest conversation and reflection.
- **Yarning** elevates specific cultural ways of knowing, being and doing into evaluation practice. It involves respectful and active listening to create an open dialogue between parties and an ongoing culture of reflection.

- **Responsibility and Credibility** calls for community validation of information gathering, analysis and findings, and joint decision-making on reporting forms, ensuring accessibility for all audiences.
- **Empowering Change** emphasises taking a strengths-based approach throughout evaluation practice and the importance of government following through and acting on jointly developed recommendations. This principle highlights the importance of accountability in how evaluation is undertaken and how findings are used.

How was the Re-imagining Evaluation framework developed?

The Re-imagining Evaluation framework was developed by the Department of Education in partnership with researchers from the University of Newcastle and was informed by two consultation groups:

- **Department of Education steering committee:** comprising senior Aboriginal departmental staff.
- **Key external stakeholder group:** with representation from the NSW Aboriginal Education Consultative Group Inc. (AECG), the NSW Teachers Federation, the NSW Primary Principals Association and the NSW Secondary Principals Council.

Supporting materials

Re-imagining Evaluation is intended to be a living document that will evolve as experience in culturally responsive evaluation develops.

The principles-based framework is not a one-size-fits-all guide, therefore, implementing the guide in practice will vary for different stakeholders, in different situations and environments. To support implementation, the Department of Education's website provides additional information to raise awareness of the importance of the principles and what each means in practice. The department is also developing a series of additional implementation resources, tailored for different stakeholder groups.

¹⁴ NSW Department of Education 2023.

2.3 Planning and resourcing

Developing and maintaining any relationship takes time and effort. Proponents seeking to work with First Nations people and communities in a genuine way should ensure that they and their prospective partners are adequately resourced to do so. This includes considering long-term partnership arrangements, as temporary or ad hoc arrangements can lead to increased burden on community participants.

Project planning should allow time and flexibility to establish relationships in line with local community protocols, from the earliest stages of scoping an initiative or evaluation. This shows respect and builds trust, setting the foundations for future work.

Inadequate planning and prioritisation of resources to build and maintain relationships will often lead to experiences that are tokenistic and transactional. This erodes trust and limits the opportunities for First Nations people and communities to meaningfully inform the development of initiatives and evaluations.

Start planning and engaging early

Start planning for, and commence, building stakeholder relationships as early as possible. This is important to:

- show respect and demonstrate your commitment to working genuinely
- acknowledge and allow space for the other commitments and priorities of First Nations people and communities
- identify the full range of stakeholders that may have an interest in the work
- maximise the opportunities for First Nations people and communities to influence and inform the scope of an initiative (pre-implementation), or the approach to an evaluation (generally post-implementation), before it is too far progressed.

Planning engagements early is best for incorporating community perspectives into the design and evaluation of initiatives. Failing to build in enough time or resources for partners to meaningfully contribute to your work can damage relationships with community, and the quality of the work itself.

While relationship development should begin early, it is important to maintain these relationships through the life of an initiative to avoid transactional exchanges. When an initiative may conclude or cease, seek opportunities to continue relationships to support future contributions to evaluations or other initiatives.

Seek out information on current and previous government partnerships and consultations

Take care not to exacerbate the ‘consultation fatigue’ that can be experienced by First Nations people and communities from repeated approaches to engage. This can be particularly burdensome on communities that are asked to advise on the same topics, without demonstration of how previous feedback has been incorporated or where opportunities for shared decision-making are out of scope.¹⁵

Before seeking to start engaging with community stakeholders, it is important to:

- Proactively identify any current, or previous, partnerships or consultations relevant to the work. This may include engagements on similar topics at a local, regional or national level, or engagements on other topics in the same location.
- Liaise with key contacts within your organisation and in other government agencies associated with such work to understand local community networks, priorities, and plans. This is important to avoid duplication and coordinate effectively.
- Check if your agency has an established First Nations advisory committee or engagement team that could provide valuable feedback on your proposed approach.

¹⁵ For example, as recognised in ‘Key Action Area 3: Government organisations and services are responsive to the needs of Aboriginal people’, in the 2022-2024 NSW Implementation Plan for Closing the Gap.

- Research what First Nations people and communities have previously communicated to government and ensure you can demonstrate to stakeholders how this feedback is informing subsequent work.

Government agencies often employ staff to manage relationships with First Nations stakeholders who should be a first point of contact when planning engagements with community.

Prioritise listening from the early stages

The focus of initial meetings with First Nations stakeholders should be to introduce yourself, your purpose in reaching out, and to build an understanding of stakeholder priorities and interests. Practice active listening, including waiting for your turn to speak. It is important to demonstrate a commitment to working genuinely together before seeking knowledge and information.

As relationships are established, be guided by First Nations stakeholders on their preferences for further communication and ways of working together.

Community priorities and interests should also start to shape and inform the direction of the work, whether related to initiative development or evaluation scoping. Maintain flexibility while being transparent and honest about any firm limitations on the project scope. This approach ensures a respectful and adaptive process without overpromising and underdelivering.

As with any community-level engagement, through the process of listening proponents will likely come across different stakeholder perspectives and priorities on certain issues. Identifying significant variations in positions from an early stage can help to explore the potential for common ground and navigate areas of contention when later exploring partnership opportunities.

In some cases, First Nations stakeholders may not wish to lead early conversations. Listening is a priority, but it is important to have a flexible approach to early engagements.

Take time to identify and introduce yourself to an appropriate range of stakeholders

Take time to build an understanding of the First Nations stakeholders that may have an interest in your work. This will vary based on local community protocols, priorities and capacity, and the subject matter.

Some examples of First Nations stakeholders are listed in Insight 2. Depending on the nature of the initiative being developed or evaluated, some of the listed representative bodies, groups and organisations may be a useful starting point for initial introductions.

Local representation is particularly important, given the diversity of First Nations communities. Seek advice on the organisations or individuals that have authority to represent their communities and follow protocols consistent with the local culture.

Initiatives with a broader or statewide focus should include some local engagement to gain an understanding of place-based variations, but may be best placed to start with organisations that offer a statewide perspective at first (for example, peak representative bodies outlined in Insight 2: Examples of First Nations community stakeholders).

For initiatives that may impact on land, water or cultural heritage, allow time to check whether there are First Nations stakeholders with relevant legal rights and interests, or if there are any legally binding agreements or legislative requirements for engagement that must be followed.

This may include identification of First Nations native title holders or claimants, First Nations land owners, applicable Indigenous Land Use Agreements or future act processes under the *Native Title Act 1993* (Cth), relevant joint management agreements or cultural heritage consultation requirements. Consult your organisation's legal or Aboriginal engagement team for guidance on this as required.

Allow for extra time if you are unsure of the appropriate stakeholders, as initial engagements may help to identify the right people or organisations. While First Nations stakeholders will be able to provide guidance on navigating this process, proponents can demonstrate a commitment to establish genuine relationships by taking a proactive lead role. Asking community stakeholders or subject matter experts to carry the load of facilitating introductions may be inappropriate, so a flexible approach is recommended.

Establish who, from your team or organisation, will take the lead in reaching out and developing these relationships. There is no single correct way to approach this. Two key factors to consider include:

- prior experience and demonstrated cultural capability in working with First Nations stakeholders, and
- supporting consistency of personnel as much as possible.

Insight 2: Examples of First Nations community stakeholders

Organisations

- **Land councils:** the [NSW Aboriginal Land Council \(NSWALC\)](#) and [Local Aboriginal Land Councils](#).
- **Regional alliances:** the [nine Aboriginal Regional Alliances](#) operating under Local Decision Making and their respective member organisations, **e.g. Community Working Parties (CWPs)** (referenced in further detail in Insight 5). This includes the [NSW Coalition of Aboriginal Regional Alliances \(NCARA\)](#) comprising representatives from member regional alliances.
- **Peak representative bodies:** for example, the [NSW Coalition of Aboriginal Peak Organisations \(NSW CAPO\)](#) and its member organisations – NSWALC, NSW Child, Family and Community Peak Aboriginal Corporation (AbSec), Link-Up NSW, Aboriginal Education Consultative Group (AECG), Aboriginal Health and Medical Research Council (AH&MRC), First Peoples Disability Network, Aboriginal Legal Service (ALS NSW/ACT), BlaQ Aboriginal Corporation and the Aboriginal Culture, Heritage & Arts Association – national members of the [Coalition of Peaks](#), and other bodies, such as the [NSW Indigenous Chamber of Commerce \(NSWICC\)](#).
- **Aboriginal Community-Controlled Organisations (ACCOs):** including local service providers, many of which are members of national and state peak bodies (for example, members of SNAICC – National Voice for our Children, or the AH&MRC).
- **Native title holders or claimants:** represented by Prescribed Bodies Corporate (PBCs) and Registered Native Title Bodies Corporate (RNTBCs) and listed on the [National Native Title Register](#), [Register of Native Title Claims](#), and the [PBC website](#).
- **Other Traditional Owner groups:** best identified in consultation with local community members.
- **Other First Nations organisations:** including corporations (which may be registered with the [Office of the Registrar of Indigenous Corporations \(ORIC\)](#)), associations, cooperatives or other local or regional governance bodies, or groups representing specific cohorts. Some stakeholder groups may be particularly affected by an initiative or be well-positioned to provide advice, such as groups representing First Nations elderly, LGBTIQ+ people, young First Nations people, or First Nations people living with a disability.

Individuals

- **Elders:** highly respected cultural knowledge holders recognised and acknowledged as such by their community. Contact an appropriate representative body, such as the Local Aboriginal Land Council, or Aboriginal Regional Alliance, to first understand local cultural protocols when exploring the appropriateness of seeking an introduction to an Elder.
- **Aboriginal Owners:** Aboriginal people with a cultural association with lands of cultural significance listed under the *Aboriginal Land Rights Act* (1983). The Office of the Registrar under this legislation maintains a list of all Aboriginal Owners.
- **Other subject matter experts:** this could include leading First Nations professionals or researchers with expertise in a specific field, or local community representatives with relevant skills, knowledge or interests.

Before approaching First Nations colleagues to lead this work, consider first if the responsibility falls within the scope of their specific role. If not, consider other options within or beyond your team.

Offer to meet in-person

Meeting in-person and engaging at the local level is generally the preferred way to build relationships with First Nations people and communities.

Offer in-person meetings with First Nations stakeholders, aiming to accommodate their preferences and needs. This is a way to signal respect for each stakeholder's time and

consideration, recognise the deep significance of place to First Nations cultures, and demonstrate the intent to develop meaningful relationships. It provides greater opportunity to listen and connect informally, which builds stronger mutual understanding and trust.

Capacity for such travel should be included in the planning processes. Introductory meetings should be viewed as valuable investments in ongoing relationships and dialogue, emphasising commitment beyond one-off compliance exercises.

Ask and follow local community protocols

Adhering to local cultural protocols demonstrates respect and helps to support a culturally safe experience for First Nations stakeholders.

Seek advice from local community representatives to understand local cultural protocols when establishing and maintaining relationships. This may include advice on:

- seeking permission from community leaders
- preferred locations to meet
- ensuring that representation from your organisation is culturally appropriate and aligned to the context (for example, protocols around Men's and Women's Business)
- appropriate timing around other community or cultural events and commitments.

Plans should be flexible and adjusted as required. This could include postponing arrangements where First Nations people or communities have cultural obligations (for example, Sorry Business or cultural events during NAIDOC week).

Allow budget to ensure stakeholders are resourced to commit their time and expertise

Ensure that business case or evaluation budgets provide for appropriate resourcing of First Nations stakeholders to ensure their costs are met and they have capacity to commit their time and expertise to your initiative. Where there is an expectation of travel this should include the cost of transport and accommodation, and catering when meetings extend through the day.

Inadequate resourcing can be damaging to partnerships. Stakeholders will likely have wide ranging commitments outside of your engagement, which may include, but are not limited to, business ownership, employment, community leadership and representation, cultural obligations, caring responsibilities, study or volunteer work.

In some cases, this will require resourcing stakeholders for their time and expertise, while others may simply require flexibility around timeframes. Organisations may need to consider if policies governing external engagement are fit-for-purpose and allow flexibility to engage First Nations stakeholders.

Further resources

- [Principles for engagement in projects concerning Aboriginal and Torres Strait Islander peoples](#) (AIATSIS, 2020c)
- [For Our Elders: Guide for Respectfully Communicating with Elders](#) (Common Ground, 2023).

Guiding questions – ensuring adequate time and resourcing for relationship building

- Which First Nations community or communities does the work relate to?
- To what extent has your team or organisation established relationships with First Nations people and organisations in these communities?
- What existing information can your team find on the priorities of these stakeholders? What other areas of government are working with this community on other issues?
- What have these stakeholders previously communicated to government on this topic?
- Have you considered models of codesign and partnership that minimise consultation burden?
- What allowance has been made in the project timeframes and budget to establish new relationships? Who will lead this process within your team or organisation?
- What capacity does your team have to travel to meet with community?
- Has your team researched local community protocols? Who will you reach out to for guidance?
- What allowance has been made in the budget to meet the costs that your First Nations partners might incur in resourcing your project?

2.4 Ethical responsibilities and approvals

Ethical practice should be considered in all work with First Nations people and communities.

From the initial stages of initiative design and business case development, establishing free, prior and informed consent is a central ethical consideration, supporting self-determination. As initiatives are designed, implemented, monitored and evaluated, ethical practice involves establishing a shared agreement about the benefit, impact and value of the work, and embedding any appropriate risk mitigations.

Ethical practice builds trusting relationships between parties and delivers a greater likelihood of receiving consent.¹⁶ By viewing First Nations people as partners and leaders in initiative design, research and evaluation, proponents will gain more meaningful insights.¹⁷

National ethics guidelines for research with First Nations people and communities

The National Health and Medical Research Council (NHMRC) and Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) provide national leadership on ethical research with First Nations peoples.¹⁸

Both NHMRC and AIATSIS have developed guidelines to inform research that impacts, or is of significant interest to, First Nations people and communities (Insight 3).

These documents support the application of the overarching [National Statement on Ethical Conduct in Human Research](#).¹⁹ The National Statement outlines ethical considerations for research generally, along with specific considerations for certain research participants, including First Nations people.

Each guideline also has an accompanying practice guide. The documents emphasise the importance of respecting and valuing cultural differences, and preferencing First Nations self-determination to plan and lead research and evaluation activities.

Proponents are encouraged to review these materials and embed their guidance into approaches to initiative design and evaluation.

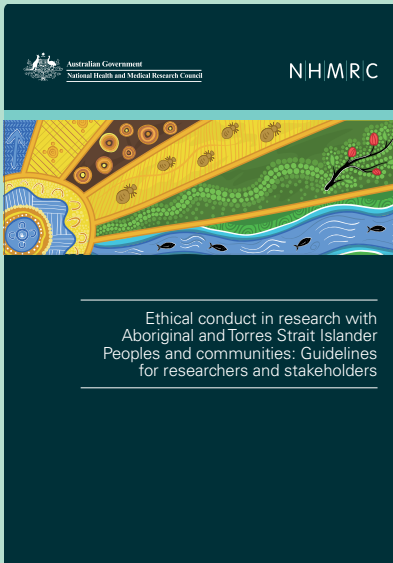
¹⁶ National Health and Medical Research Council (NHMRC), 2018c.

¹⁷ Thomas, Bainbridge & Tsey 2014.

¹⁸ As per the legislated functions of each body, set out in the National Health and Medical Research Council Act 1992 (Cth), s5D(3)(d) and s7, and the Australian Institute of Aboriginal and Torres Strait Islander Studies Act 1989 (Cth), s5(c)(ii).

¹⁹ NHMRC 2023.

Insight 3: Key ethical frameworks for research with First Nations people and communities



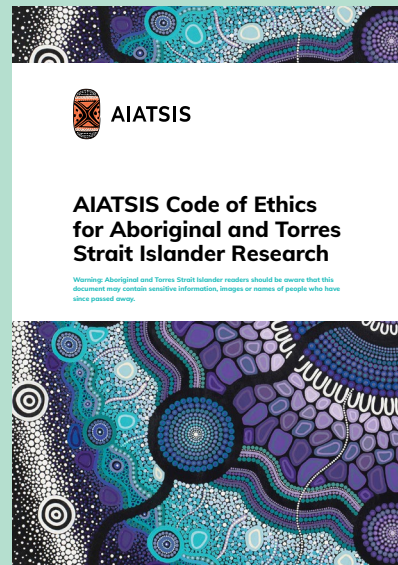
Ethical conduct in research with Aboriginal and Torres Strait Islander Peoples and communities: Guidelines for researchers and stakeholders – National Health and Medical Research Council (NHMRC), 2018a

The NHMRC Guidelines define six core values:

- Spirit and integrity
- Cultural continuity
- Equity
- Reciprocity
- Respect
- Responsibility.

It includes examples of how to demonstrate each value, and links to relevant sections in the overarching [national ethical standards for human research](#). The guidelines also provide further information on consent, research agreements, cultural and intellectual property and cultural competency.

A companion document, **Keeping Research on Track II**, supports First Nations research participants and communities to advocate for practical application of the values in different research contexts. It examines eight steps in a research journey (building relationships, developing the research idea, developing the project and seeking agreement, data collection, analysing the data and making sense of the findings, report writing, sharing and translating the results into action, learning from experience).



AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research – Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), 2020a

The AIATSIS Code of Ethics comprises four principles that are underpinned by the value of integrity:

- Indigenous self-determination
- Indigenous leadership
- Impact and value
- Sustainability and accountability.

Each principle includes a set of responsibilities to guide practical implementation.

The accompanying **Guide to applying the Code of Ethics** provides supporting information on how to apply the principles across four main stages of research (getting started, implementing your project, communicating research results and post-project).

Free, prior and informed consent as a mechanism for self-determination

Consent is a core principle within ethics frameworks. Consent should be sought from First Nations people and communities before commencing work, providing all relevant information, and be directly and honestly obtained. Consent should be free, prior and informed.²⁰

Ensure that First Nations people and communities are provided with the opportunity to be involved in designing initiatives and evaluations. As part of this process, consider if there are any cohorts significantly impacted by the work that should be specifically represented, such as First Nations young people or First Nations people with disability.

Be prepared to share adequate information about a project, including any proposed use of First Nations cultural and intellectual property, often referred to as Indigenous Cultural and Intellectual Property (ICIP). ICIP includes all facets of First Nations cultural heritage, spanning tangible and intangible elements. It includes traditional knowledge, cultural objects like crafts and jewellery, performances like ceremonies and dance, as well as sacred sites and documentation of First Nations heritage.²¹

Where First Nations representatives have an interest in an initiative or evaluation, partnership arrangements can be established to support shared decision-making. If an initiative does not align with the community's priorities, it would not be appropriate to proceed without appropriate adaptations. Where an evaluation is required by a decision of government, it is still important to seek community support and partnership on the approach. Further guidance for exploring partnerships on initiative design and evaluation is provided in Section 3.2.

Formal ethics approval may be required, especially for research and evaluation

In early planning stages, consider whether it is necessary, or appropriate, to seek formal ethics approval from a Human Research Ethics Committee (HREC) (Insight 4). This is likely to be more relevant for research and evaluation during or after the implementation of an initiative, than for the design stage.

Consult relevant policies and legislation specific to your organisation and any other third parties involved in the work to determine if an ethics review is mandatory. For example, NSW Ministry of Health Policy Directive 2010_055 requires the AH&MRC Ethics Committee to approve any human research project that takes place in NSW public health organisations where any of the following apply:

- The experience of Aboriginal people is an explicit focus of all or part of the research.
- Data collection is explicitly directed at Aboriginal people.
- Aboriginal peoples, as a group, are to be examined in the results.
- The information has an impact on one or more Aboriginal communities.
- Aboriginal health funds are a source of funding.

Take a conservative approach to determining whether an ethics review is appropriate. For example, AIATSIS recommends that all research projects that involve First Nations peoples undergo ethics review and approval before the project begins.

20 The NHMRC guidelines stipulate that 'free' means participation is voluntary; 'prior' means consent is sought in advance of any approval or the start of activities; 'informed' means information about the project is provided in a clear and understandable way including accessible language.

21 Further guidance on Indigenous Cultural and Intellectual Property is provided at the end of this section.

Insight 4: Human Research Ethics Committees (HRECs)

Ethics approvals are provided by HRECs registered with the NHMRC.

There are two HRECs with a specific focus on research relating to First Nations people and communities at the national level, and specifically within NSW:

- Aboriginal Health & Medical Research Council (AH&MRC) Ethics Committee (NSW)
- AIATSIS Research Ethics Committee (National)

HRECs assess applications against the National Statement on Ethical Conduct in Human Research and other prescribed guidelines. For example, all proposals for health research with First Nations participants must also be assessed against the NHMRC Guidelines outlined in Insight 3.

Committees can set additional assessment requirements. For example, the AH&MRC Ethics Committee reviews against the NSW Aboriginal Health Ethics Guidelines: Key Principles, while the AIATSIS Research Committee reviews against the AIATSIS Code of Ethics (Insight 3).

If your work is being undertaken in conjunction with or by a university, there may be an associated HREC that is required or available to undertake a review. Make inquiries to ensure that this HREC includes appropriate First Nations representation. Consider the HRECs noted above if uncertain.

Even in circumstances where a review may not be mandated, guidance from the AH&MRC or AIATSIS Ethics Committees, or another HREC with relevant First Nations representation can be beneficial. Make a direct enquiry with an HREC for advice.

In cases where an evaluation does not require formal review by an ethics committee, agencies and evaluators should follow ethical practices. All evaluation projects should include a systematic and well-documented assessment of ethical risks. The NHMRC provides guidance on developing internal policies to guide both formal ethical review and alternative ethical oversight of quality assurance and evaluation activities.²²

Take account of the time and cost (for example, application fees) for an ethics review and approval process during planning stages. The ethics review and approval processes may require further information on elements of the proposal. This could include chosen data collection methods, approaches to analysis, identification of participants, support offered to participants, remuneration or other supporting documentation. Applications may also need to be revised and resubmitted for approval. Factor in additional time to accommodate these processes.

Understanding First Nations people's rights over cultural and intellectual property

Another ethical foundation is the consideration and understanding of the rights of First Nations people and communities in relation to cultural and intellectual property.²³

First Nations cultural and intellectual property (often referred to as Indigenous Cultural Heritage and Property (ICIP)), is defined as encompassing all tangible and intangible aspects of First Nations peoples' cultural heritage, traditional knowledge and traditional cultural expressions.²⁴ Examples can include anything that is written, spoken or created by First Nations people including stories, paintings, sculptures, objects, dances, songs, music (cultural practices), any knowledge of the land, culture or kinship used to express cultural identity, at the individual and community level.²⁵ The AIATSIS Guide to the Code of Ethics for Aboriginal and Torres Strait Islander Research provides some examples.

Consider upfront how your work might involve ICIP and build in review points to confirm the property rights of First Nations people are upheld.

22 NHMRC, 2014.

This includes the rights of First Nations people to:

- own, control and maintain their ICIP
- ensure that any means of protecting ICIP is based on the principle of self-determination
- be recognised as the primary guardians and interpreters of their cultures
- authorise or refuse the use of ICIP according to their own law
- maintain the secrecy of Indigenous knowledge and cultural practices
- guard the cultural integrity of their ICIP
- be given full and proper attribution for sharing their cultural heritage
- control the recording of cultural customs, expressions and language that may be intrinsic to cultural identity, knowledge, skill and teaching of culture
- publish their research results.²⁶

ICIP should be considered alongside Indigenous Data Sovereignty (IDS) and Indigenous Data Governance (IDG) principles and protocols, and when considering data collection, access, analysis and reporting processes.

Management of ICIP may also need to be built into written partnership or data-related agreements, including potential adjustments to standard intellectual property clauses. This may require advice and input from your organisation's legal team.

Further guidance on IDS and IDG is provided in Chapter 5.

Further resources

- [National Statement on Ethical Conduct in Human Research 2023](#) (NHMRC, 2023).
- [Ethical conduct in research with Aboriginal and Torres Strait Islander Peoples and communities: Guidelines for researchers and stakeholders](#) (NHMRC, 2018a).
- [Keeping research on track II](#) (companion document) (NHMRC, 2018b).
- [AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research and accompanying Guide](#) (AIATSIS, 2020a/b).
- [Ethical considerations in quality assurance and evaluation activities](#) (NHMRC, 2014).
- [Indigenous Evaluation Strategy](#) (ethics guidance on pp. 16-17) and accompanying [Guide to Evaluation](#) (Australian Government Productivity Commission, 2020b/c).

Check if your organisation has specific policies on ethics procedures or Indigenous Cultural and Intellectual Property. For example:

- [Aboriginal Cultural and Intellectual Property Protocol](#) (Aboriginal Affairs NSW, 2019).
- [Policy Directive: Research – Ethical & Scientific Review of Human Research in NSW Public Health Organisations](#) (NSW Ministry of Health, 2010).

Guiding questions – consent, cultural and intellectual property rights and ethics approvals

- Have you agreed on the benefits and risks of the project with the communities you are partnering with?
- Where applicable, have you considered requirements for HREC approval and obtained appropriate community endorsement to support your ethics application?
- In your partnership agreement or ethics application have you provided evidence of the free, prior and informed consent of the community you are partnering with?
- Have you familiarised yourself with all relevant laws, policies, standards and regulations relating to the preservation and protection of First Nations cultural and intellectual property?

23 AIATSIS 2020a, p.6.

24 Ibid.

25 NHMRC 2018a, p.17.

26 AIATSIS 2020b, p.6.

Partnership for shared decision- making



The foundations set out in Chapter 2 can support proponents to establish genuine relationships with First Nations stakeholders. This process will likely identify opportunities to work together.

This chapter focuses on how to take the next steps to explore and establish a partnership with First Nations stakeholders when designing an initiative or conducting an evaluation. This includes:

- an overview of what **partnership** is, and what it is not (Section 3.1)
- key things to consider when **exploring a potential partnership** (Section 3.2)
- ways to **formalise partnership governance arrangements** (Section 3.3)
- **practical examples** of initiatives that have implemented a partnership approach (Section 3.4)
- considerations for **procuring third parties** to support business case development and evaluations (Section 3.5).

Leadership and governance arrangements influence the way initiatives are designed and evaluated. They establish who is 'at the table', and the decision-making power that each party holds. Evidence demonstrates that community representation through partnerships, networks and shared leadership are key enablers for the success of initiatives that impact on First Nations people and communities.²⁷

Shared decision-making can improve the effectiveness of initiatives by reflecting lived experience in the development of options and embedding cultural considerations in delivery. In evaluation, shared decision-making can lift the quality of evidence by ensuring the examined outcomes align with community objectives and that suitable methods are used to measure impacts.

Genuine partnerships that share decision-making with First Nations people and communities are also an important mechanism for self-determination, consistent with the United Nations Declaration on the Rights of Indigenous Peoples.²⁸

Opportunity

Decision-making responsibilities are shared between proponents and First Nations partners, supported by formal governance structures and appropriate partnership resourcing.

27 Productivity Commission 2020a, Morley 2015.

28 UN General Assembly 2007.

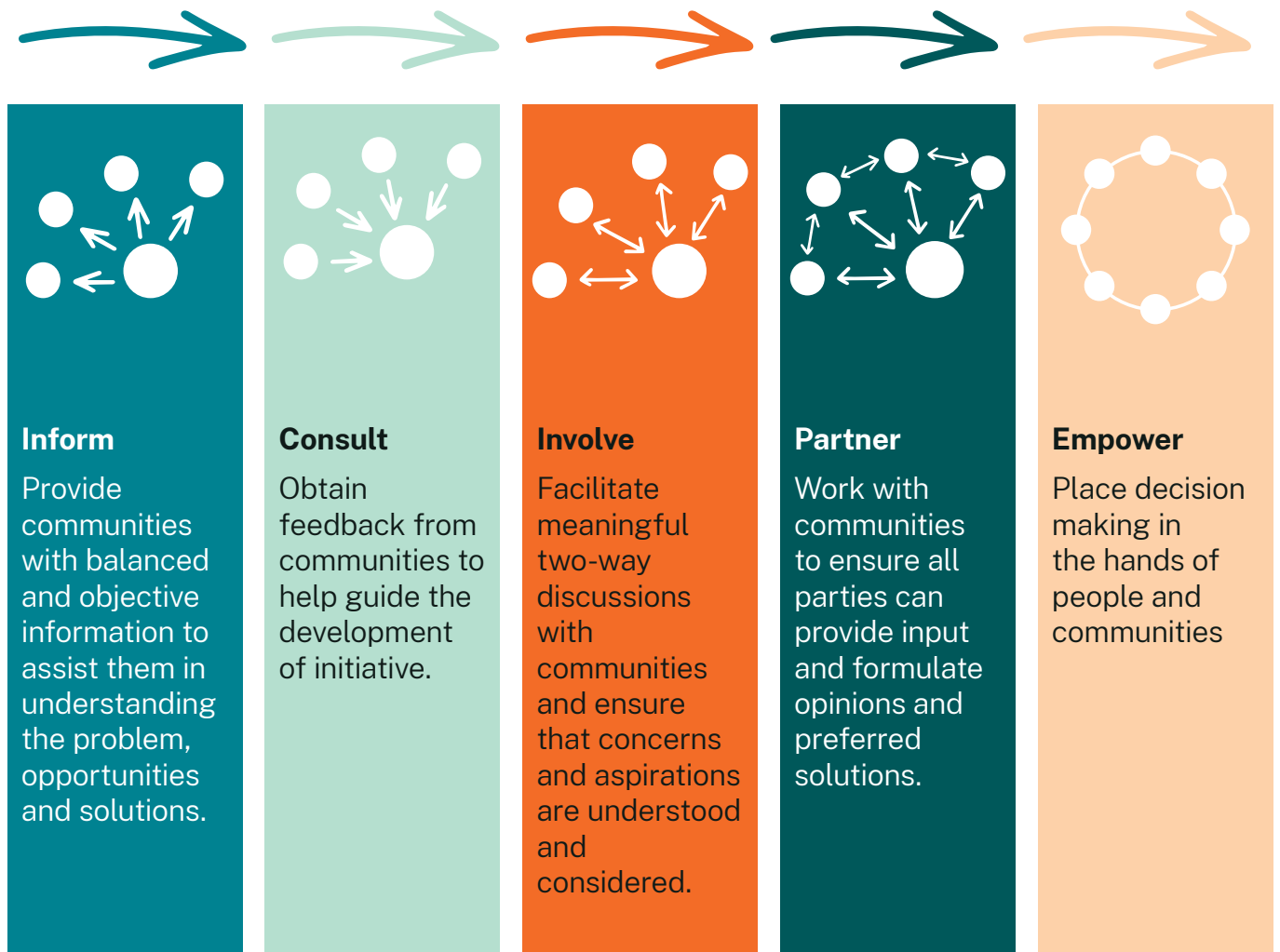
3.1 What constitutes a partnership?

There are many ways to engage with stakeholders. The spectrum of engagement (Figure 5) is a model that maps these according to the level of stakeholder influence.

Sharing decision-making with First Nations people and communities by working at the ‘partner’ or ‘empower’ stages of this spectrum can enable the success of an initiative.²⁹ As opportunities to work together are identified, governance arrangements should be established early to clarify roles and responsibilities, particularly for decision-making.

Figure 5: The spectrum of engagement

Increasing level of community influence



Source: Adapted with permission from © International Association for Public Participation, www.iap2.org

29 Al-Yaman & Higgins 2011., Morley 2015.

In shaping a partnership the parties should discuss what they will work together on and how it will be done.

To build and maintain trust with First Nations people and communities the parties must adhere to the core distinguishing features of the agreed engagement approach.

As a guide, Table 4 compares the characteristics of a strong partnership with other engagement practices that directly inhibit current and future partnership opportunities.

Table 4: What constitutes a partnership?³⁰

A strong partnership is...	Partnership is not...
<ul style="list-style-type: none"> • grounded in ongoing, trusted relationships • established from early stages to enable joint decision-making from the outset • representative (with First Nations people appointed transparently according to community and organisational structures, and nominated government representatives that have appropriate negotiating and decision-making authority) • negotiated and formally agreed in writing • centred around shared decision-making • adequately resourced to enable equal participation • accountable and transparent. 	<ul style="list-style-type: none"> • one-way extraction of information • tokenistic (involving or consulting a group when there is minimal scope for influence) • restricted by unrealistic time or budget constraints that were not appropriately scoped in the planning stage • limited by the pre-set agenda and approaches of a single party, without flexibility to adapt based on the perspectives of prospective partners.

³⁰ Table 4 was developed by NSW Treasury, drawing on the National Agreement on Closing the Gap (Council of Australian Governments (2020)) and feedback from consultations (NSW Treasury (2022)).

Partnership in NSW Government policy

Partnership is central to NSW Government's overarching policies and commitments for working with First Nations people and communities.

The National Agreement on Closing the Gap (2020) was developed under a Partnership Agreement between all Australian governments and the Coalition of Aboriginal and Torres Strait Islander Community-Controlled Peak Organisations (Coalition of Peaks).³¹

The Partnership Agreement commits all governments to share decision-making with Aboriginal and Torres Strait Islander peak representatives across the design, implementation and monitoring of the Closing the Gap framework. The National Agreement further prioritised the strengthening of partnership structures to facilitate equal participation in shared decision-making across specific policy domains and place-based initiatives.

The [NSW Partnership Agreement](#) on Closing the Gap between the NSW Coalition of Aboriginal Peak Organisations (NSW CAPO), NSW Government and Local Government NSW was signed in February 2024.³² The partnership structures that lead implementation of Closing the Gap in NSW are summarised in Study 3.

Aboriginal Affairs NSW is focused on connecting, listening, advocating and enabling Aboriginal communities to lead accountability and change across the NSW Government.³³

This strategic direction builds on the 2013 OCHRE (Opportunity, Choice, Healing, Responsibility, Empowerment) Plan, which emphasises partnerships, listening and local solutions, and was developed based on evidence from evaluations, prior review recommendations and consultations.³⁴

The OCHRE Plan initiated the implementation of Local Decision Making (Insight 5), a framework for shifting decision-making power about local service delivery to regional Aboriginal governance groups.

Study 3: Partnering on the implementation of Closing the Gap in NSW

The NSW Partnership Agreement on Closing the Gap is underpinned by the following principles:

- Transparency, through sharing information that helps the partnership function effectively.
- Accountability for successfully implementing Closing the Gap.
- Acknowledging the significant demands of shared decision-making, in part by ensuring adequate resourcing.
- Mutual respect, through acknowledging the cultural knowledge and expertise of NSW CAPO organisations and their local members and their instrumentality to progress.
- Inclusion, through recognition of the diversity of perspectives, needs, and priorities of Aboriginal communities across NSW.

A governance structure has been established to oversee NSWs' implementation plan, comprising:

- **NSW Joint Council**, a key decision-making group that oversees state-level planning and implementation. The NSW Joint Council is co-chaired by the Minister for Aboriginal Affairs and the co-chairs of NSW CAPO. Other members include the Secretary of the NSW Premier's Department, all NSW CAPO members, and other ministers and NSW Government secretaries as required.
- **Sector Committees** that lead strategic planning and implementation of actions to embed Priority Reforms and meet the outcomes agreed under the partnership. These committees comprise of executive-level representatives from NSW CAPO members and NSW Government agencies.

31 Department of the Prime Minister and Cabinet 2019, 2020.

32 Aboriginal Affairs NSW 2024.

33 Aboriginal Affairs NSW 2023.

34 Aboriginal Affairs NSW 2013., Al-Yaman and Higgins 2011., NSW Auditor-General 2011., NSW Ombudsman 2011., Ministerial Taskforce on Aboriginal Affairs 2012a, 2012b.

Seven Aboriginal Regional Alliances have signed, or are in the process of negotiating, a formal accord with the NSW Government (as of June 2024). Accords jointly commit parties to address agreed priorities, and establish governance arrangements, including timeframes, responsibilities and measures of success. These documents are an important starting point for understanding existing partnership arrangements in these regions and identifying future opportunities.

A series of evaluations and reviews have highlighted opportunities to strengthen the practical operation of these regional, state and national-level partnerships.³⁵ The guidance in this chapter has been developed with these findings in mind and with the aim of enhancing the capability of proponents to establish and maintain effective working partnerships, consistent with NSW Government policy.

Insight 5: Local Decision Making

Local Decision Making provides a framework for the NSW Government and Aboriginal regional governance bodies (regional alliances) to partner on service design, planning and delivery.

There are nine established Aboriginal Regional Alliances across NSW:

- **Murdi Paaki Regional Assembly (MPRA)** made up of 16 community working parties (Bourke, Brewarrina, Broken Hill, Cobar, Collarenebri, Coonamble, Engonia, Goodooga, Gulargambone, Ivanhoe, Lightning Ridge, Menindee, Walgett, Weilmoringle, Wentworth/Dareton and Wilcannia).
- **Illawarra Wingecarribee Alliance Aboriginal Corporation (IWAAC)** made up of Bellambi Indigenous Corporation, Shellharbour Aboriginal Community Youth Association, Illawarra Aboriginal Corporation, Illawarra Aboriginal Medical Service, Illawarra Koori Mens Group, Kullila, Yamanda Aboriginal Corporation and Koori Kulcha Aboriginal Corporation.
- **North Coast Aboriginal Development Alliance (NCADA)** covering the Ballina, Byron, Clarence Valley, Kyogle, Lismore, Richmond Valley and Tweed Local Government Areas.
- **Barang Regional Alliance (Barang)** representing seven opt-in organisations: Darkinjung Local Aboriginal Land Council, NAISDA Dance College, Mingaletta Aboriginal Corporation, Yerin Aboriginal Health Services, Bara Barang Corporation, Gudjagang Ngara Li-dhi Aboriginal Corporation and The Glen Centre.
- **Three Rivers Regional Assembly (TRRA)** made up of 12 communities (Bathurst, Dubbo, Gilgandra, Mudgee, Narromine, Nyngan, Orange, Parkes, Peak Hill, Trangie, Warren and Wellington).
- **Riverina Murray Regional Alliance (RMRA)** covering the Albury, Cootamundra, Cumeragunja, Deniliquin, Griffith, Hay, Leeton, Narrandera, Tumut and Wagga Wagga communities.
- **Western Sydney Aboriginal Regional Alliance (WSARA)** covering the Western Sydney Aboriginal communities in Blacktown and Penrith.
- **La Perouse Aboriginal Community Alliance (LACA)** comprising La Perouse Local Aboriginal Land Council, Guriwal Aboriginal Corporation, Eastern Zone Gujaga Aboriginal Corporation, La Perouse Bumpers Youth Haven, La Perouse Board Riders Aboriginal Corporation, La Perouse Panthers sporting Aboriginal Corporation and Gamanygal Aboriginal Corporation.
- **NSW Coalition of Aboriginal Regional Alliances**, comprising the Chairs of member Regional Alliances, providing representation at a state level.

Guiding questions – what constitutes a partnership?

- How does your approach adhere to the core features of a partnership (Table 4)?
- Have you reviewed the NSW Government’s policies and commitments on working in partnership with First Nations people and communities?

35 ABSTARR Consulting 2021, Murawin 2022, Productivity Commission 2023.

3.2 Exploring a potential partnership

This section provides guidance on how to explore a potential partnership with First Nations people and communities, building off the foundations set out in Chapter 2.

As outlined in Figure 6, this process will usually involve exploring:

- **who** the potential partners are
- **what** the scope of the partnership could look like, and
- **how** you can work together.

This exploration process will often be iterative, with proponents responding and adapting as potential partners and broader stakeholders share information, ideas and opportunities.

The process can also be more effective when proponents have made a broader commitment to build and maintain genuine relationships with stakeholders as part of core business.

Figure 6: Key considerations for exploring a potential partnership

Ongoing investment in building relationships



Engage early and establish a plan to build and maintain relationships

As outlined in Section 3.1, strong partnerships are grounded in ongoing, trusting relationships.

Relationships are more likely to be built and maintained when viewed as part of core business, rather than as a short-term engagement that is limited by the length of a funding or implementation cycle.

Check if your organisation has an established policy or process for maintaining long-term relationships and partnerships with First Nations people and communities. This might include a First Nations engagement team that provides support across your organisation.

Within your team, consider what arrangements can be put in place to guide and support continuity of the relationships that are established through your work. This can include set procedures for ensuring relationships are maintained when a team member takes extended leave, moves into a new role, or leaves the organisation.

When building relationships, be guided by First Nations stakeholders in following cultural governance protocols. Some First Nations communities and representative bodies have formally documented principles and protocols for engagement.³⁶ Ask stakeholders if there are existing guides that you should follow.

Identify potential First Nations partners

As outlined in Section 2.3, there is a range of First Nations stakeholders that may be appropriate partners on the design and evaluation of initiatives.

Table 5: Considerations for identifying potential First Nations partners

Developing a new initiative	Evaluating an existing initiative
<ul style="list-style-type: none"> • Who best understands the current state? • What existing partnerships, networks, or other groups already represent this local community or cohort? • What ACCOs operate in this area? • Who has spoken on this topic before, for example in previous consultations or submissions to inquiries? 	<ul style="list-style-type: none"> • Who is impacted by the initiative? • Who has been involved in the design, implementation, monitoring of the initiative? • What other representation is needed to reflect the experiences and priorities of those impacted?

This includes:

- **Place-based representation:** including Aboriginal Regional Alliances and their member organisations (for example, Community Working Parties) (refer to Insight 5), Local Aboriginal Land Councils, local Aboriginal Community Controlled Organisations (ACCOs), other locally based First Nations organisations, Elders or other individuals.
- **Subject matter experts:** including peak bodies with regional or local level networks, other representative bodies with a special area of interest, Aboriginal Community Controlled Organisations (ACCOs) involved in service delivery, or certain professionals.
- **Specific cohort representation:** recognising the unique needs of different cohorts including First Nations Elders, LGBTIQ+ people, people living with disability, women and youth.
- **First Nations people with specific legal rights or interests that may be impacted by the initiative:** such as native title holders or claimants, First Nations land owners, or First Nations people with existing legal agreements over land, water or other assets. Consult with your legal and First Nations engagement teams for guidance on identifying stakeholders in this group.

Use different questions to identify stakeholders for new and existing initiatives. Some examples are outlined in Table 5.

Keep in mind that representations from a single stakeholder are likely to be valid in limited circumstances and may be contested.

Remember to liaise with key contacts within your organisation and in other government agencies to understand any previous or current engagements or partnerships with identified stakeholders, and explore opportunities to coordinate. Further guidance on this is provided in Section 2.3.

³⁶ As an example, the Aboriginal community of Wilcannia has established and documented principles and protocols for engagement with government and non-government service providers, development agencies and private contract bodies.

Ensure appropriate place-based representation

In almost all initiatives, some level of local representation should be embedded in the partnership. This may involve several local stakeholders.

Place-based representation is necessary to recognise the diversity of First Nations cultures and communities, and local differences in priorities and circumstances. Evidence demonstrates that universal solutions do not work for First Nations people and communities.³⁷

For initiative design, including First Nations representatives from different communities is important to test and explore what kind of flexibility should be built into implementation at the local level, to support successful delivery and achievement of outcomes in different situations.

When undertaking evaluation, place-based representation is needed to identify differences in the effectiveness of initiatives and how that links with other local factors. Appropriate place-based representation will also likely be considered as part of formal ethics reviews.

Seek to establish an agreement with potential First Nations partners on appropriate place-based representation for each initiative, based on its scale, significance and the stage of the work.

In some cases, such as statewide initiatives, representation from a select set of ‘pilot’ or ‘test case’ locations to provide insights on some of the types of local variations may be sufficient in the design stage. Once an initiative is approved for implementation, broader partnerships with each impacted community may be established to share decisions. An example of this model is provided in the case study on Roads to Home (Study 5, Section 3.4).

Develop a proposal for the scope of the partnership

At an appropriate stage in the exploration phase, it will be helpful to share a proposal on the scope of activities that you might work on, and the types of decisions that could be shared under a partnership. Allow flexibility for partners to influence this scope where possible.

The work and decisions involved in developing a new initiative will differ from the work involved in evaluating an existing one (Table 6). You can demonstrate flexibility within this scope of works:

- **When developing a new initiative** – prioritising listening to get a clear understanding of the opportunity and allow space to explore the full range of options.
- **When evaluating an existing initiative** – including potential partners in decisions about the evaluation objectives, the questions or outcomes to be examined, data collection and governance, and the assessment methods.

Table 6: Key activities at different stages of the investment lifecycle for an initiative

Developing a new initiative	Evaluating an existing initiative
<ul style="list-style-type: none"> • Understanding the issue or opportunity. • Developing options. • Assessing options (which ideally includes a cost-benefit analysis). • Using findings to identify a preferred option. 	<ul style="list-style-type: none"> • Identifying evaluation questions. • Developing evaluation methods. • Undertaking evaluation. • Using evaluation findings to make a case for investment or reform.

³⁷ Productivity Commission 2020a.

Test alignment with community priorities

Effective partnerships require buy-in and contributions from all parties. This is best achieved when the focus of the work aligns with each party's priorities.

Research and listen in the exploration phase to understand the priorities of First Nations stakeholders. As outlined in Section 2.3, useful starting points include information shared through previous government initiatives and consultations, submissions to reviews and inquiries, accords signed between the NSW Government and Aboriginal Regional Alliances, other publicly available information on the websites of organisations and representative bodies, and statements in the media.

Complement this with open conversations on how the proposed work might align. Open discussions can demonstrate the commitment to share decision-making from the early stages, recognising that First Nations stakeholders have the right to choose whether to become partners. This is important even in cases where work is required by a decision of government (for example, where an evaluation is required as a condition of funding).

Where key stakeholders elect to opt-out, ask about the factors contributing to that decision to inform what to do next. If a key stakeholder supports the work in-principle, but has limited capacity to participate as a partner, explore options to address this. For example, this could include:

- provision of resources to support full engagement (discussed below)
- amendments to scope or timing
- adjustments to enable lighter touch involvement in other ways, such as:
 - providing opportunities to influence guiding principles or the scope of work
 - agreeing to be engaged with specific components of the work
 - endorsing representation from other potential partners that have been identified.

If stakeholders do not support the work, assess if it is appropriate to proceed. Examine how this will impact the scoping and delivery of the initiative, or the quality of the evaluation.

Return to the overarching objectives of the initiative or evaluation. Without community support and involvement, can you provide adequate assurance that the initiative will be effective, or that the evaluation will provide meaningful findings to inform future decisions? If not, you may need to consider other potential ways forward.

Consider whether the partnership may fit within an existing arrangement

Explore if there is an existing partnership arrangement with identified stakeholders that can be extended to include your work. Some examples of existing partnerships are provided at the end of this section. There may be other partnerships that your organisation has established with First Nations representatives.

If existing arrangements are not deemed suitable, a new partnership can be established.

Discuss financial resourcing

Active participation in a partnership is resource intensive and as noted in Section 2.3, stakeholders will likely have a range of other commitments. Examine the scope of the proposed commitment and factor partnership capacity building and resourcing into the business case and evaluation budgets.

Different types of partners will require different forms and levels of support. For example:

- **Individual partners** should be compensated appropriately for their time, expertise and associated costs, such as travel. This may require formalising their involvement in the work as a contractor.

Consider the scope of the work involved beyond attending meetings (for example, liaising with broader community members) when estimating the time required of the individual.

- **Organisational partners** may require funding to cover the cost of dedicating employee time.

Reach out to your organisation's procurement team for guidance on how appropriate contractual arrangements for partnership resourcing can be facilitated under existing policies. Where a resourcing arrangement is established, consider if the [Faster Payment Terms Policy](#) applies.

Further resources

Some existing partnerships between the NSW Government and First Nations stakeholders include:

- [NSW Partnership Agreement between the NSW CAPO, NSW Government and Local Government NSW](#) (Aboriginal Affairs NSW, 2024a).
- [Signed Accords under Local Decision Making](#) (Aboriginal Affairs NSW, 2024b).
- [Partnership Agreement between the NSW Aboriginal Education Consultative Group Inc and the NSW Department of Education 2020-2030](#) (NSW Aboriginal Education Consultative Group, 2020).
- Sector-specific guidance is also available on exploring and establishing partnerships. For example:
 - [National Safety and Quality Health Service Standards \(NSQHS\) User Guide for Aboriginal and Torres Strait Islander Health](#) (Australian Commission on Safety and Quality in Health Care, 2017) provides guidance for health service organisations seeking to explore and establish partnerships with First Nations communities, organisations and groups (refer to Action 2.13).

Guiding questions –exploring a potential partnership

- What arrangements does your organisation have in place to build and maintain ongoing relationships with First Nations people and communities?
- What do you intend to partner on? Are you developing an initiative, or conducting an evaluation? What are the key activities to be undertaken and decisions to be shared?
- Who can you reach out to, to start to test who would appropriately represent First Nations interests in this work?
- How does the work align with the priorities of potential partners?
- How can the perspectives of other First Nations stakeholders, who will not be formal partners, be included in the work?
- If the work is not supported by First Nations stakeholders, what can we change? If changes are not feasible, how can we be confident in progressing without this support?
- Does the scope of this partnership fit within the scope of any existing partnerships, or does a new arrangement need to be formalised?
- How much time will we expect potential partners to contribute to this work? How will we support partner capacity to resource this commitment?

3.3 Formalising a partnership

Following the exploration process, partnerships can be formalised through negotiations that establish governance arrangements and a written agreement on how the parties will work together.

Complete these steps before progressing with substantive work.

Embed First Nations leadership and participation in governance arrangements

Governance arrangements establish the roles and responsibilities for different aspects of the work. This includes decision-making, providing advice, and overseeing day-to-day activities.

Table 7 provides three examples of common governance bodies involved in the design and evaluation of initiatives, their primary responsibilities, and the opportunities where it may be appropriate to embed both the leadership and participation of First Nations partners at each level. Work with each partner to identify and agree these structures and be clear on the proposed time commitments.

Ideally, proponents will also have internal representation from First Nations employees within these groups, where possible and appropriately aligned to those employees' role descriptions (to avoid exacerbating cultural load, as discussed in Section 2.1).

Table 7: Common types of governance bodies involved in initiative design and evaluation

Governance body	Primary responsibility	Potential First Nations representation
Steering committee	Decision-making	Representation from First Nations partners is required at this level to enable shared decision-making.
Advisory or Reference Group	Providing advice and feedback	Opportunity for First Nations experts to guide the direction and approach to work, and sense-test findings and recommendations.
Project Control Group or Officer-Level working group ³⁸	Oversee day-to-day delivery of the work Report to the steering committee	Delegates of First Nations steering committee members may be represented at this level to enable equal participation in the partnership at the operational level.

³⁸ This terminology is presented as high-level guidance only. For some initiatives, there may be a need for both a Project Control Group and an Officer-Level working group, each with different scope and responsibilities.

Tailor governance arrangements to align with the scope, scale and risks of an initiative

Tailor specific governance structures to facilitate collaboration and partnership in an efficient and effective way.

Key factors to consider include the range of partners and stakeholders, any ethics requirements (where applicable) and the cost, complexity and level of risk associated with the initiative. For example:

- Work that is more complex could be expected to be supported by additional levels of governance or multiple groups at a given level. For example, as outlined in Study 3, due to the breadth of priorities to be delivered under Closing the Gap in NSW, implementation is supported by several officer-level working groups, each with a specific area of focus.
- An evaluation process for a lower-cost, local initiative may not require establishment of a separate advisory group, with relevant representatives simply included at the steering committee and working group level (or equivalent).

Ensure the appropriate level and scope of government representation

Government representation in governance bodies also needs to be appropriate to facilitate genuine shared decision-making with First Nations partners. This includes:

- **Appropriate levels of authority:** ensure that the delegated authority of government representatives aligns with the scope and purpose of each governance body. For example, steering committee representatives should hold appropriate authority to contribute to decisions.
- **Cross-agency representation:** ensure governance bodies are sufficiently representative across agencies so that they can discuss and work through the issues in an integrated way. This will help to mitigate the risk of siloed approach or duplication.

Formalise a written agreement for how the partnership will operate

Work with First Nations partners to formally document how the partnership will operate. This might take the form of terms of reference for the established governance structure, or as a separate document focused on the specific terms of engagement between the proponent and First Nations partners.

The elements of a written agreement should be determined collectively by the partners. This may include:

- **Purpose and objectives of the partnership.**
- **Guiding principles:** to set the standards and priorities for working together. Section 2.2 provides further details on establishing a principles-based approach.
- **Partnership scope:** identifying the key activities that the partners will work together on, planned deliverables and any firm limitations on the scope of shared decision-making.
- **Governance arrangements:** membership of any governance bodies that will oversee the partnership and chairing arrangements.
- **Roles and responsibilities:** as assigned to each partner, and each governance body.
- **Agenda-setting processes:** a mechanism for agendas to be agreed in advance between parties.
- **Meeting arrangements:** including meeting frequency, timing, location, format, the minimum representation required for decisions, and recording of minutes. Be conscious of the broader responsibilities of stakeholders when discussing and agreeing these arrangements.
- **Protocols for communication, information sharing and reporting:** to support active and informed involvement of all partners, promoting transparency and accountability. This may include consideration of First Nations cultural and intellectual property, data storage and confidentiality requirements.
- **Dispute resolution:** procedures to raise and resolve disagreements.
- **Review:** timeframes and high-level scope for review of the partnership arrangement.

Further resources

Additional general guidance on establishing governance arrangements in the context of designing and evaluating initiatives is available at:

- [NSW Government Business Case Guidelines, TPP18-06](#), in particular Step 22 and Appendix 9 (NSW Treasury, 2018)
- [Evaluation Workbook IV – Manage the Evaluation](#) (NSW Treasury, 2023a)
- [Establish decision-making processes](#) (Better Evaluation, 2022).

Guiding questions – formalising a partnership

- What governance structure do the partners agree will be most suitable to facilitate shared decision-making that is effective, efficient, active and informed?
 - Is a multi-level governance arrangement the best way to engage with a range of partners and stakeholders, to cover the full breadth of issues, and manage the risk or complexity of the initiative?
 - Is a streamlined governance arrangement best suited given the specific location, focus area or budget of the initiative?
- How will First Nations partners lead on decisions about the initiative design or evaluation?
 - Would the initiative benefit from the advice of additional First Nations experts in a reference group?
- What government representation is required to facilitate the partnership?
 - Are the relevant government agencies each represented?
 - Do government representatives hold appropriate authority that aligns to the purpose of each relevant governance body?
- What mechanisms can we agree up-front to support the operation of the partnership?
- How will we remain accountable to First Nations community and report progress against the purpose and objectives of the partnership?
- How and when will we measure and assess the impact of the partnership?

3.4 Case studies: Partnership in practice

This section provides three examples of how partnership with First Nations people and communities can be embedded into the design and evaluation of initiatives.

The **Maranguka Justice Reinvestment (Study 4)** is an example of a community-led initiative focused on re-directing funding from crisis response, adult prisons and youth detention to preventative and diversionary community development initiatives.

Roads to Home (Study 5) is a program that empowers Aboriginal communities to make decisions about local infrastructure investments. The scope of decisions goes beyond the prioritisation of different types of work but also goes to influencing other local objectives, such as training and employment.

Under the Empowered Communities model, **Barang Regional Alliance** facilitates shared decision-making with Australian Government agencies on a range of new, renewing and ceasing funding streams specific to the First Nations community living on the Central Coast (Study 6).

These initiatives are all overseen by partnership governance structures that facilitate local decision-making on design, implementation and evaluation.

Study 4: Maranguka Justice Reinvestment

The Maranguka Justice Reinvestment³⁹ initiative began in 2011 as a coalition of more than 20 organisations. 'Maranguka' means 'caring for others' in the Ngemba language. It was a strategic initiative of the Aboriginal Legal Service NSW/ACT, which began with a focus on building trust and identifying the priorities of the local community in Bourke.

In 2013, following community consultation, Bourke became the first major site in Australia to implement an Aboriginal-led place-based model of justice reinvestment through a collaboration between Bourke Tribal Council (comprising 27 Tribal groups living in Bourke), Just Reinvest NSW (JRNSW) and the community of Bourke.

The community-led initiative takes a principles-based approach, by targeting issues that increase the likelihood of young Aboriginal people entering the justice system. This involves redirecting funding from crisis response, adult prisons and youth detention to preventative and diversionary community development initiatives that aim to reduce interactions with the criminal justice system. The initiative contributes to broader systemic reform in education, health care, and child protection.

Community-led governance arrangements

The initiative is led by the community who receive support from the Just Reinvest team. There are more than 20 non-government organisations that are active partners of the initiative.

Resources are placed in the hands of the community who direct funding to local backbone teams, capability building, and governance support, alongside strategic assistance from a supporting body.

The initiative's leaders hold Quarterly working groups to bring together key service providers and agencies. These meetings are designed to identify local issues, share data, and come up with coordinated solutions. The approach to governance ensures First Nations cultures are recognised, and cultural values and principles are integrated into service delivery and practice.

Ongoing, regular meetings between Bourke community members and representatives from government departments have identified and explored alternative ways of delivering services. This commitment has helped to build trust between community and government, and allowed the partnership and the program to function effectively.

Community engagement and data collection

Through consultation a potential site is identified for implementing the justice reinvestment model. These consultations also seek to identify local leaders and partners to engage, as well as data that is helpful and meaningful to local communities.

For example, some communities request information on the lived experience of young people who have had contact with the criminal justice system. Through established partnerships with agencies, this data is collected and shared with community to help inform how the initiative is developed and run. The program facilitates the development and implementation of a community strategy, and new sites are incorporated into existing JRNSW models.

Reporting and evaluation

Community has also developed a data and evaluation framework to monitor and track progress according to community expectations.

Principles that informed the development of the first reinvestment site in Bourke and findings from reviews of the operating sights inform the development of similar models in other First Nations communities. For example, in Moree and Mount Druitt, First Nations communities are collaborating to develop initiatives that will elevate the voices of young people.

39 Department of Communities and Justice, Justice Reinvestment; Just Reinvest NSW

Study 5: Roads to Home

Roads to Home is a community-led planning and infrastructure program that partners with over 60 discrete NSW Aboriginal communities to provide funding for local infrastructure upgrades and land dealings.⁴⁰ The program aims to improve social, health and economic outcomes in each community by directly investing in infrastructure that increases amenity and access to essential services such as waste collection, postal delivery, emergency services and utilities.

The discrete Aboriginal communities were created in the late nineteenth century as Aboriginal people were forcibly relocated onto reserves and missions. The lands of these reserves were often undesirable, with sites often prone to floods, bushfires and contamination (such as asbestos). Under the *Aboriginal Land Rights Act 1983*, the land of former reserves and missions was transferred from the NSW Government to the respective Local Aboriginal Land Councils (LALCs) who were then responsible for maintenance and the provision of services.

A community-led and co-designed solution that provides tangible options for self-determination

The Roads to Home program has a strong emphasis on self-determination. It seeks to increase the agency of First Nations people and communities by:

- Providing options for communities to make decisions on the use of their land, for example on the type and level of infrastructure upgrades.
- Increasing the capabilities of LALCs through community infrastructure upgrades and increasing opportunities for Aboriginal owned businesses through tender processes.
- Allowing broader economic opportunities through subdivision works and re-zoning, to enable broader tenancy and land management options and the diversification of LALC funding.

Each community is responsible for the delivery of their respective program. In practice, this means that community members are responsible for deciding the type and level of infrastructure upgrades, the appropriate planning pathways, future ongoing maintenance, and the management of tender processes and contractors.

To facilitate local decision-making, Project Control Groups (PCGs) are established within each community to decide the type of infrastructure upgrades, the procurement process and project management. Decisions regarding land dealings, such as subdivision and development applications, are determined by LALC community members.

In addition to providing grant funding to communities, the Department of Planning, Housing and Infrastructure is responsible for ensuring the appropriate level of support is provided to LALCs to establish and operate PCGs, select and manage contractors, and ensure sound financial management of projects.

⁴⁰ NSW Department of Planning, Housing and Infrastructure 2024.

Study 6: Shared decision-making with Barang Regional Alliance

Barang Regional Alliance (Barang) is the recognised Aboriginal regional governance structure, offering a representative voice to all tiers of government, on behalf of the Aboriginal community living on Darkinjung Country (the Central Coast of NSW).⁴¹ Barang's engagement with government includes its roles as both:

- An established Aboriginal Regional Alliance and member of the NSW Coalition of Aboriginal Regional Alliances (NCARA) under the NSW Government's Local Decision Making framework (outlined in Insight 5).
- A 'backbone organisation' for the Central Coast under Empowered Communities, an initiative both designed and led by First Nations communities, supported by the Australian Government.

Under the banner of Empowered Communities, Barang recruits, convenes and supports panels of independent Aboriginal community members to provide a second tier of accountability on specific funding streams administered by Australian Government agencies. Community panels make assessments and recommendations on new and renewing funding applications specific to the Darkinjung community and region, as well as existing funding streams that are ceasing or may be reallocated. Recommendations carry a 75 per cent weighting and offer a line of direct access to the relevant Australian Government Minister or their delegate.

The process, known as Shared Decision-Making, enables Aboriginal-led community oversight of regional funding. It provides a mechanism for the Aboriginal community to directly assess funding proposals, evaluate the effectiveness of past programs, and influence funding decisions and conditions. Assessments consider the visibility and impact of existing services, local employment, alignment with, and responsiveness to, community needs, the scope for capacity building and ongoing opportunities for delivery by Aboriginal Community-Controlled Organisations where there is capacity and capability.

The process holds both Aboriginal and non-Aboriginal service providers to account to the Aboriginal community on Darkinjung Country. At the onset of funding allocation, all service delivery organisations that are assessed under Barang's Shared Decision-Making model are asked to comply with Barang's partnership principles which set expectations for the delivery of services.

Barang operates as the coordinator and facilitator in this process. This involves:

- **Recruiting and maintaining a register of panel delegates:** Aboriginal community members are invited to apply to join Barang's register of panel delegates through an expression of interest process. Applicants indicate what program areas align with their skills and experience.
- **Convening program-specific community panels:** when assessments are requested from Australian Government agencies, Barang reviews a skills matrix and convenes a panel comprising representatives with relevant expertise (including lived experience) in the specific program area. Barang's selection process considers subject matter expertise, appropriate representation from relevant cohorts (such as youth, Elders or female representatives) and screens for any conflicts of interest.
- **Training and documentation:** once they have undergone the recruitment process, identified panel delegates receive a letter of offer to participate. Once endorsed, delegates receive training on the assessment process and are required to sign a confidentiality agreement and a set of ethical guidelines.
- **Secretariat support:** Barang provides secretariat support to the panel through the assessment process. All panels comprise independent community members, and Barang is not involved in the decision-making. Recommendations from each community panel are presented to the Barang board for ratification before they are shared with the funding body.

This process has been operating since 2017 and has included assessments of regional-specific funding under the national Indigenous Advancement Strategy and other select grants from the Department of Social Services (DSS) and the Department of Climate Change, Energy, the Environment and Water (DCCEEW).

41 Developed with Barang Regional Alliance.

3.5 Procuring third parties to support business cases and evaluation

Third parties may be engaged to support the development of a business case or undertake an evaluation. This section outlines considerations and resources to help navigate procurement processes and appoint suppliers that can partner with First Nations people and communities.

Review NSW Government and agency-specific procurement policies and resources

The NSW Government encourages a nine-step approach to procurement, centred around three stages: plan, source and manage (Figure 7). The [buy.nsw](#) website provides detailed guidance, training and supporting resources to work through these steps.

The [NSW Procurement Policy Framework](#) sets out the mandatory legislative and policy requirements for the procurement of goods and services by all NSW Government agencies.

This includes the [Aboriginal Procurement Policy](#) (APP), which includes targets and policy levers to support sustainable growth of Aboriginal-owned businesses in NSW.

Specific guidance on procurement for evaluation is provided in [Evaluation Policy and Guidelines \(TPG22-22\)](#) and [Evaluation Workbook V: Evaluation plan: Use the right expertise](#).

Within this whole-of-government framework, individual procurements are managed at the agency level. Review any internal procurement policies and guidance specific to your agency and contact your agency's procurement or sourcing team for advice as required.

This Framework assumes knowledge of these existing requirements and supporting guidance.

Jointly plan procurement using the established partnership governance structure

Establish governance arrangements with First Nations partners before commencing procurement planning. Procurement planning includes decisions regarding:

- the scope of work
- what parts within this scope should be outsourced (if any), and why
- the evaluation criteria for assessing tenderers.

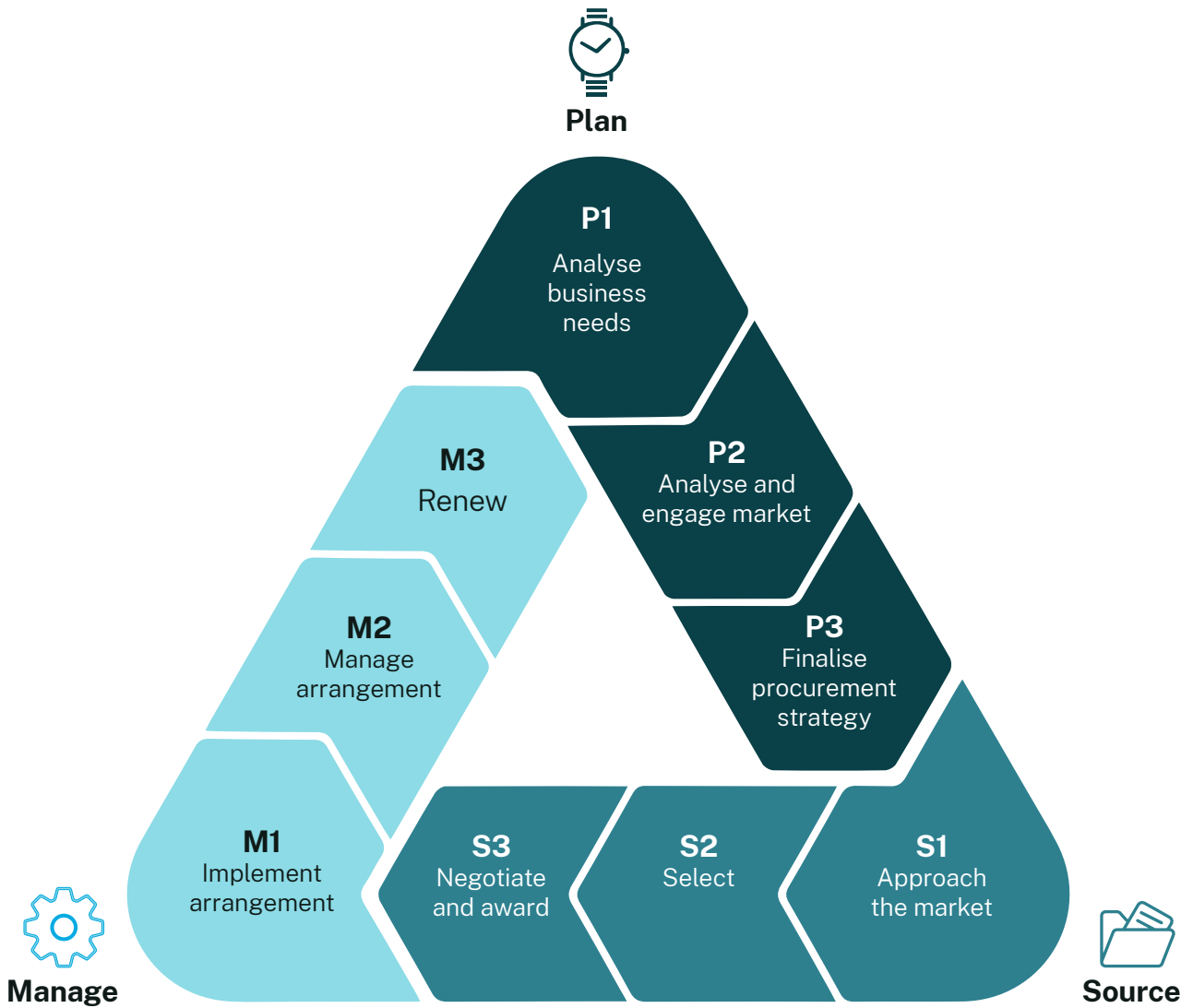
Establish a clear and common view on the scope of work

Take the time to accurately scope the work. Potential tenderers can develop and cost higher quality submissions when you can clearly articulate the work that needs to be done. This includes a clear problem definition, the use case for the material and its potential audience.

Consider what elements of the work are best undertaken 'in-house'. Proponents are responsible for business cases and evaluations, and undertaking work directly can assist in building internal capability. For example, when developing a business case, proponents are likely to be best placed to directly identify the case for change and work in partnership with community representatives to develop a range of options. External engagements should be limited to activities requiring specific expertise or to manage conflicts of interest.

For work that is appropriate to outsource, Table 8 provides high-level examples of details that should generally be included in the scope of works.

Figure 7: The NSW Government best practice procurement approach



These lists are a guide only. For example, complex business cases may involve several contracts for specific areas of work, such as stakeholder engagement, economics and engineering – each with specific and detailed requirements.

What is most important is that proponents and First Nations partners work together to identify the components of work that should be outsourced, and explain these requirements and any broader context in the approach to market.

Table 8: Common details to be confirmed when scoping support for business cases and evaluation

Stage of investment lifecycle	Suggested details to include in scope of works
Common elements – relevant for both business cases and evaluation	<ul style="list-style-type: none"> • Background and context for work • Overview of governance for initiative development – partners and broader stakeholders • Key activities required of successful tenderer • Potential data sources and methodologies • Any available information to be shared with the successful tenderer • Roles and responsibilities • Timelines, including key decision points • Deliverables • Audience.
Initiative design and appraisal of options	<ul style="list-style-type: none"> • Community objectives • Scope of any options developed (or to be developed) • Existing frameworks to guide the approach to these activities (for example, for cost-benefit analysis, the cultural economic framework, discussed in Section 4.2).
Post-implementation evaluations ⁴²	<ul style="list-style-type: none"> • Questions that the evaluation is seeking to answer • Type of evaluation (process, outcome, economic) • Proposed approach to formal ethics reviews (where applicable) • Responsibilities for obtaining informed consent from evaluation or research participants (where applicable).

Include evaluation criteria to help assess the cultural capability of tenderers

Consider the range of capabilities that the successful tenderer will require to complete the work and develop a set of evaluation criteria that reflects this.

Table 9 sets out some example criteria and key questions to consider when assessing the cultural capability of suppliers.

If the scope of works involves a range of tasks requiring a combination of skills and experience set out which criteria relate most to each element of work.

For example, if seeking an external party to conduct face-to-face engagement with First Nations people, you may wish to encourage tenderers to identify one or more First Nations people to lead and undertake this work, and reflect this in the criteria. Providing this clarity of expectations for individual components of the work may help to encourage potential tenderers to collaborate and submit a joint response that combines their expertise.

42 Refer to [Evaluation Policy and Guidelines \(TPG22-22\)](#) and [Evaluation Workbook V: Evaluation plan: Use the right expertise](#) for more detailed guidance on scoping a consultancy brief.

Table 9: Example evaluation criteria options to assess tenderers for cultural capability⁴³

Evaluation criteria	Guidance when evaluating tenderers
<p>Is the tenderer a verified First Nations organisation, or a collaboration that includes First Nations expertise?</p>	<p>Is the tenderer a verified First Nations organisation that includes First Nations staff who will undertake the work?</p> <p>Where the tenderer is not First Nations owned and operated, consider:</p> <ul style="list-style-type: none"> • Will the work be led by First Nations staff? Are there senior First Nations staff as part of the project team? • Is the project manager a First Nations person or is there a partnership with a First Nations expert that ensures the project oversight includes First Nations staff? • Is the supplier an expert in the field or do they have a connection with the relevant community? • How much time will be committed by First Nations staff or expert partners, relative to the overall contribution of the tenderer?
<p>Demonstrate experience and cultural capability in working with First Nations people and stakeholder engagement</p> <p>Demonstrate experience and understanding of principles-based approaches when working with First Nations people</p> <p>Demonstrate understanding of Indigenous Data Sovereignty principles, methodologies and collection methods</p>	<ul style="list-style-type: none"> • Is there adequate evidence demonstrating that the tenderer understands how to work with First Nations people at different stages, as required under the scope of works? This may include, for example building and establishing relationships, negotiating and agreeing an approach, working in genuine partnership, ensuring accountability in data analysis and reporting. • What principles will guide the approach taken by the tenderer and the final deliverables? How do these principles align with the overarching partnership? • Does the proposed methodology demonstrate understanding of key data, ethics and First Nations governance principles? • Does the proposed approach acknowledge and respect cultural protocols?
<p>Demonstrate partnership and collaborative approach to implement evaluation activities (for example undertaking face-to-face evaluation planning and fieldwork)</p>	<p>Does the tenderer demonstrate an understanding of the need for First Nations leadership and accountability to First Nations communities? For example:</p> <ul style="list-style-type: none"> • Sense checking the analysis and interpretation of findings with First Nations people/service providers to ensure accurate interpretations and truth telling. • Sharing draft reports with First Nations providers/participants to sense check what has been reported prior to finalising reports and publishing. • Ensuring accessibility by reporting findings in ways that are also meaningful to First Nations people, for example, final reports including a visual, audio, or storytelling option to relay findings.

⁴³ These criteria are relevant to outsourcing for both components of business cases (including economic appraisal through CBA) and post-implementation evaluation. The term 'evaluation criteria' is used here in alignment with the NSW Procurement Policy Framework.

Establish an evaluation panel in line with probity and governance requirements

It is suggested that at least one First Nations person is involved in the assessment of tender responses and included in the decision-making process for tenderer selection.

Opportunities to include First Nations community partners or stakeholders in this stage of the process can be explored with your agency's procurement and legal teams.

This process will need to consider any existing partnership governance structures and written agreements between proponents and First Nations partners, and which entities are proposed to be parties to the contract with the selected tenderer.

Reaching out to procurement and legal teams as early as possible in the planning process to allow time to explore what options are feasible and appropriate.

In circumstances where First Nations partners can be involved, all evaluation panel members are required

to meet the probity and governance requirements to ensure a transparent process.

Study 7 provides an example of how this process was navigated by the Aboriginal Housing Office when commissioning an evaluation with four ACCO partners.

Options for identifying potential First Nations suppliers

Under the Aboriginal Procurement Policy (APP), NSW Government agencies may negotiate directly with an Aboriginal business for procurements up to \$250,000. This applies even if there is a mandated prequalification scheme or panel in place.

While there is no consolidated list of all First Nations suppliers that may be qualified to support the development of business cases or evaluations, Table 10 outlines the directories that are available to research and identify potential suppliers applicable under the APP.

Study 7: Establishing a procurement evaluation panel with community representatives

The Aboriginal Housing Office (AHO) works to improve the wellbeing of Aboriginal families and communities in NSW through housing.⁴⁴ Between 2019 and 2021, the AHO partnered with four Aboriginal Community-Controlled Organisations (ACCOs) to co-design and implement four individual place-based programs. Each program aimed to address a specific social need identified by the community.

A mixed methods evaluation of the effectiveness of the co-design process for these programs was commissioned in 2021. AHO implemented a new way of working by extending its partnership approach beyond the program co-design and embedding it into the procurement and planning for the evaluation. This sought to build trust with the ACCOs and demonstrate how evaluation could be of benefit at a community level. The key steps of this process included:

- **Jointly identifying potential evaluators:** AHO worked with the ACCOs to identify potential evaluators. It was agreed to preference Aboriginal consultancies based in NSW in recognition of the importance of understanding local issues and cultural protocols.
- **Community review of the tender specifications:** Of the several Aboriginal consultancies identified and approached, one business indicated it had availability to undertake the work. The NSW Government's Aboriginal Procurement Policy (APP) permitted a direct negotiation with this consultant as a verified Aboriginal-owned business and a scope of works under \$250,000. AHO drew up the specifications for a direct negotiation tender and asked the ACCOs to review and approve those documents before a proposal was sought from the consultancy.
- **Joint review of the proposal:** A tender panel was convened with representatives from the ACCOs to score the proposal and ensure the potential consultancy met the requirements of the tender and evaluation scope of works.

To ensure the independence and credibility of the evaluation findings, all ACCO members involved were asked to declare any conflicts of interest as part of the tender panel and before the contract was awarded to the consultancy.

Table 10: Options for identifying potential First Nations suppliers for business cases and evaluation

Directory	Overview	Tips for searching
<u>NSW Government Prequalification Scheme for Performance and Management Services (SCM0005)</u>	A pool of suppliers prequalified to supply professional services, including consultancy, to the NSW Government.	<ul style="list-style-type: none"> • Create a buyer account on the buy.nsw.gov.au website for full access to the scheme supplier list. • A buyer account can be created by any NSW Government employee. • Select the ‘Verified Aboriginal-owned’ filter.⁴⁵ • Search directly for the services required, or use the ‘refine by scheme capability’ function to identify potential suppliers.
<u>Supply Nation: Indigenous Business Direct</u>	A database of verified First Nations-owned businesses	<ul style="list-style-type: none"> • Database is publicly available. • Available search ‘service’ categories include, but are not limited to: <ul style="list-style-type: none"> – Academic research – Business & strategic planning services – Community and business development – Data analytics – Economic analysis – Management consulting & consultants – Social policy services – Monitoring & evaluation – Policy review and evaluation.
<u>NSW Indigenous Chamber of Commerce (NSWICC)</u>	NSWICC assured Indigenous businesses	<ul style="list-style-type: none"> • Please contact the NSWICC to seek advice on potential suppliers.
<u>Office of Registrar of Indigenous Corporations (ORIC): Corporation Register</u>	A list of Indigenous corporations	<ul style="list-style-type: none"> • Corporation register is publicly available. • Search is by corporation names or numbers.

Yarpa maintains a directory of First Nations business members. Government or industry organisations that are registered as Yarpa general members may also promote procurement opportunities through this network. As Yarpa does not provide Aboriginal business verification, businesses identified through Yarpa’s directory must also be registered by either Supply Nation, the NSWICC or ORIC in order to qualify for the measures available under the APP, and for contract spend to be recognised in APP reporting.

44 Developed with the Aboriginal Housing Office.

45 In addition to the ‘Verified Aboriginal-owned’ filter, the NSW Government Supplier Hub allows for results to be filtered by a range of other business identifiers including: ‘Verified Disability employment organisation’, ‘Verified Gender-equitable’, ‘Verified Social enterprise’, ‘Australian owned’, ‘Not for profit’, ‘Regional’, ‘SME’ and ‘Start-up’. Proponents are encouraged to consider First Nations businesses that also meet one or more of these additional identifiers.

Allow time for pre-tender briefings and to provide post-tender feedback

Pre-tender briefings can give potential suppliers a better chance to understand requirements before their submission is due. The main thing to keep in mind is that all suppliers must have equal access to information. After procurement decisions are made, post-tender debriefs on both strengths and areas for improvement can help to build the capability of suppliers to apply for future opportunities.

Agencies must provide pre- and post-tender briefings when reasonably requested by small and medium businesses (SMEs) and regional suppliers to clarify requirements and provide feedback on unsuccessful bids. Further guidance is available in the [Small and Medium Enterprise \(SME\) and Regional Procurement Policy](#).

Further resources

- [Best practice procurement](#) (NSW Government, 2024)
- [NSW Government Procurement Policy Framework](#) (NSW Government, 2024)
- [Aboriginal Procurement Policy](#) (NSW Government, 2021)
- [Supplier Hub](#) (NSW Government, 2024)
- [Evaluation Workbook V. Evaluation plan: Use the right expertise](#) (NSW Treasury, 2023b).

Guiding questions – procuring third parties to support business cases and evaluations

- How have you identified what elements of the work can be undertaken internally, and what elements are most appropriate to outsource?
- How should First Nations partners or stakeholders contribute appropriately to the procurement planning and provide input on the:
 - scope and purpose of the work to be outsourced
 - evaluation criteria used to assess tenderers?

Community-led design

4

This chapter is about putting chapters 2 and 3 into practice to align the design and evaluation of First Nations initiatives with the aspirations and priorities of First Nations communities (service users and service providers).

The design and evaluation of First Nations initiatives should be built on a clear understanding of:

- the **case for change** i.e. the reason for the initiative (Section 4.1)
- **community defined outcomes** i.e. what changes community would like to see (Section 4.2)
- the **need to articulate how the initiative will lead to change and illustrating this through a logic model** (Section 4.3).

A recurring theme of this Framework is the need for early involvement of First Nations communities in the design and evaluation of First Nations initiatives to achieve meaningful outcomes for communities. This aligns with insights from NSW Treasury's 'Shaping evaluation of policies and programs impacting First Nations people – Consultation

listening series' report.⁴⁶ The report emphasised that early engagement with community is required for meaningful co-design and evaluation, rather than government engaging community with a pre-set agenda, or established research questions.

The National Agreement on Closing the Gap, Priority Reform 2: Building the community-controlled sector recognises that when First Nations communities lead services in their communities, these often achieve better results than services that are not culturally informed or led by First Nations people.⁴⁷

There is emerging evidence of a link between First Nations cultures and improved outcomes for First Nations people and communities, which extends beyond cultural outcomes to also include broader economic, social and environmental outcomes.⁴⁸ Genuine partnership in the design, delivery and evaluation of First Nations initiatives will contribute toward Priority Reform 3: Transforming government organisations as governments deliver services in partnership with First Nations people and communities and support First Nations cultures.

Opportunity

First Nations initiatives and outcomes are aligned with the values, priorities, and aspirations of First Nations communities.

46 NSW Treasury 2022.

47 Council of Australian Governments 2020.

48 See NSW Treasury (2024) for a summary of this evidence.

4.1 Making a case for change

This section highlights the importance of enabling First Nations communities to make the case for change and identify the problem or opportunity requiring government action.

A 'case for change', or problem or opportunity definition, should clearly describe the need for government action and be guided by the needs and aspirations of First Nations communities. The case for change should identify key characteristics of the initiative and the context in which it will operate including how it will interact with other initiatives. It should explain how and why the activities of an initiative will achieve objectives, including assumptions about risks and causal links.

The case for change forms the basis of any proposed initiative and is the first step in obtaining approval to progress to further stages in business case development. All business cases must be supported by a compelling case for change and should include a logic model (see section 4.3).⁴⁹

A case for change and logic model, which outlines the expected short-, medium- and long-term outcomes of an initiative, should be completed before CBA (see Appendix A). The logic model should include detail on the indicators and data collection that will guide monitoring and evaluation, including CBA (see Chapter 5).

Ensure the case for change is identified by First Nations communities

The case for change should be defined by First Nations communities who will be impacted by the proposed initiative and should summarise the needs and priorities of the communities. This is a pre-requisite before proceeding further with initiative design and business case development.

The case for change defines the problem – or opportunity – which should cover:

- reasons for the initiative, including the reason for government action (discussed below)
- objectives of the initiative, including alignment with government objectives
- scope of the initiative i.e. state, regional or community wide initiative
- context in which the initiative will operate, including links to other initiatives
- counterfactual scenario, i.e. what would happen without the initiative.

⁴⁹ See NSW Treasury (2018) TPP18-06 (NSW Government Business Case Guidelines) for detailed information on the case for change and business case stages.

Clearly define the rationale for government action

The reason for government action is the key component of the case for change. It should identify and describe the need for government action, including to:

- achieve public policy objectives e.g. NSW Outcomes, Closing the Gap outcomes
- address equity concerns, including supporting disadvantaged groups
- resolve unintended consequences of past government actions
- address a market failure.

It is possible for several of these circumstances to exist at once. For example, the private sector may be undersupplying an essential service to First Nations communities in a regional location (market failure), compared to those located in a major city (equity concerns).

Consider whether there have been previous attempts to address the opportunity or challenge, and the resulting consequences of previous attempts.

Where a previous government initiative failed to achieve its intended outcomes, or led to unintended consequences for First Nations communities, further government action to redesign the initiative is justified. In these cases, the impacts of previous attempts on relationships with First Nations people should be considered.

Further resources

- [NSW Government Business Case Guidelines TPP18-06](#), (NSW Treasury, 2018)
- [Market failure guide: A guide to categorising market failures for government policy development and evaluation](#), Department of Industry (2017)
- [National Agreement on Closing the Gap](#), Coalition of Australian Governments (2020).

Guiding questions – making a case for change

- What opportunity or challenge has been identified?
- What is the cause and what is the effect or consequence?
- What is the size of the opportunity or how widespread is the challenge?
- Have First Nations communities (the service users or providers) defined the case for change?
- How will the effect or consequence change over time, i.e. considering changes in population or demand?
- Has the rationale for government action been clearly defined? What will happen if nothing is done?
- What available evidence and existing evaluations been considered? What evidence is there to support the relationship between cause and effect?
- Are the priorities and aspirations of First Nations communities reflected in the case for change?
- Do communities agree on the case for change? How can it be adapted to capture different community priorities, if required?
- Does the case for change align with Closing the Gap priority reforms or socio-economic indicators, or other NSW Government objectives and outcomes?

4.2 Community-defined outcomes

Defining success involves identifying appropriate outcomes. Outcomes represent the specific changes that can be attributed to an initiative, including economic, social, environmental and cultural outcomes. An outcome evaluation reports the change in outcomes attributable to the initiative and should be built into initiative design.

Defining outcomes in partnership with First Nations communities is an important step in preparing for outcome evaluation and cost-benefit analysis (CBA) (see Appendix A).

Recognise place-based variations in community aspirations and priorities

First Nations communities are diverse, with distinct priorities and aspirations. A local approach to initiative design, where outcomes are understood at the community level, will help proponents address community needs.

The identification of outcomes should be guided by First Nations communities, including what stakeholders should be involved in defining outcomes. Refer to Insight 2 (Section 2.3) for a list of stakeholders who could be involved in the process as a starting point.

Recognise the role of culture as an input to and outcome of initiatives

An emerging body of evidence demonstrates a positive association between First Nations cultures and improved outcomes for First Nations people. NSW Treasury's (2024) research paper, '[Valuing First Nations Cultures in Cost-Benefit Analysis](#)', showcased this evidence and identified that initiatives which embed culture as an input are more likely to achieve greater outcomes that are meaningful to First Nations people.⁵⁰

The National Agreement on Closing the Gap recognises the positive relationship between culture and outcomes, particularly in the role of Aboriginal Community Controlled Organisations (ACCOs). ACCOs draw on First Nations cultural expertise, customs, practices, traditions and community ties in the design and delivery of their services to improve outcomes for First Nations communities.⁵¹ The National Agreement aims to strengthen the role of ACCOs in improving outcomes through Priority Reform 2: Building the community-controlled sector.⁵²

⁵⁰ NSW Treasury (2024), Section 2.

⁵¹ Productivity Commission 2023.

⁵² Council of Australian Governments 2020.

While there is emerging evidence of the link between culture and outcomes for First Nations people, culture has rarely been assessed in evaluations and economic appraisals of government initiatives.⁵³ This means that the impact and value of First Nations cultures are yet to be consistently represented in economic evidence provided to government when making resource allocation decisions.

To recognise the role of First Nations cultures in improving outcomes for First Nations people and communities, NSW Treasury has developed an economic framework of culture.

What is the economic framework of culture?

Economic framework of culture

In the context of policy design, evaluation and economic appraisal, First Nations culture is an asset that can be both an **input to** and **outcome of** initiatives that enhance other economic, social and environmental outcomes.

The framework offers a method to explain how culture can influence a broad range of outcomes.

It is a suggested approach that involves the following steps:

1. **Recognise culture as an asset or asset that can be an input to initiatives.**
2. **Understand and describe the effects through which culture influences outcomes.**
3. **Identify expected outcomes linked with these pathways or effects.**

These steps are described in more detail below, with background on the economic framework of culture provided in Insight 6.

Step 1. Recognise culture as an asset that can be an input to initiatives

Recognising culture as an asset

Culture is commonly defined as the collective beliefs and values passed down through generations.⁵⁴ These beliefs and values form informal assets that shape individual behaviours, community interactions and decision-making processes.⁵⁵ Culture co-evolves and interacts with formal assets, such as rules, laws and constitutions, shaping socio-economic outcomes.⁵⁶

Describing First Nations culture as an ‘asset’ acknowledges the collective system of beliefs, values, norms, practices and governance structures inherent within First Nations communities. Culture is an integral part of how First Nations communities govern themselves.⁵⁷

Culture as an input

The Lowitja Institute funded a literature review for the Mayi Kuwayu Study to understand the cultural factors that are important to First Nations people and their relevance to health and wellbeing.⁵⁸ The review identified six primary domains and associated sub-domains, outlined in Table 11.

These cultural domains serve as valuable **inputs** to initiatives that enhance outcomes for First Nations people, and subsequently become cultural **outcomes**.

53 NSW Treasury 2024

54 Guiso et al. 2006.

55 Alesina and Giuliano 2013.

56 Verdier and Bisin 2017.

57 Australian Indigenous Governance Institute 2023.

58 Salmon et al. 2019

Table 11: Cultural domains as ‘inputs’ to First Nations health and wellbeing

1. Connection to Country	2. First Nations beliefs and knowledge	3. First Nations language
<ul style="list-style-type: none"> • Spiritual connection • Living on Country • Land rights and autonomy • Caring for Country 	<ul style="list-style-type: none"> • Spiritual and religious beliefs • Traditional knowledge • Traditional healing • Knowledge transmission and continuity 	<ul style="list-style-type: none"> • Impacts of language on health • Language revitalisation • Language education
4. Family, kinship and community	5. Cultural expression and continuity	6. Self-determination and leadership
<ul style="list-style-type: none"> • Family and kinship • Community 	<ul style="list-style-type: none"> • Identity • Traditional practices • Arts and music • Community practices • Sport 	<ul style="list-style-type: none"> • Cultural safety • Self-determination and wellbeing • Leadership

Source: Adapted from Salmon et al. 2019.

Step 2. Understand and describe the effects through which culture influences outcomes

Table 12 identifies five ways that the inclusion of culture can improve the outcomes of an initiative. These effects are not exhaustive and may overlap. Consideration of additional effects relevant to a specific initiative is encouraged.

Table 12: Effects through which culture can improve outcomes

Effect	Description
Improved generation and use of information	Culture enhances the efficient generation and use of information, leading to more informed decision-making and resource allocation. For example, the use of cultural knowledge in the design and implementation of initiatives or the management of common pool resources.
More efficient and appropriate matching	Culture supports the matching of services, or service providers, to the unique needs of communities. For example, matching individuals to employment on Country or a culturally appropriate health service to a remote community.
Healing from trauma	Culture can serve as an asset for healing from trauma – restoring healthy functioning and promoting wellbeing, social cohesion and resilience in communities.
Building social capital and relationships marked by trust, mutual benefit and reciprocity	Culture facilitates the building of relationships and social capital by promoting communication and shared norms of trust, mutual benefit and reciprocity. Values within First Nations cultures, such as community decision-making, respect for Elders, storytelling and cultural traditions, can strengthen social cohesion and mediate potential conflict.
Improved coordination, governance and self-determination	Cultural assets play an important role in shaping governance structures and ensuring initiatives align with community aspirations. Traditional First Nations communities emphasise self-determination and coordination, where communities are involved in decision-making.

Step 3. Identify expected outcomes linked with these effects

By examining the effects of cultural inputs, the economic framework of culture encourages identifying a broader range of outcomes, moving beyond focusing solely on cultural outcomes. While the process of identifying targeted outcomes is similar to standard practice, it emphasises linking these outcomes directly with the cultural inputs of the initiative. This approach deepens understanding of the association between culture and outcomes for First Nations people, thereby strengthening the economic evidence of this relationship.

Study 8 and Study 9 demonstrate applications of the economic framework of culture to a language restoration initiative and a culturally informed maternity care initiative. This stepwise process serves as an exercise for proponents to understand the connection between cultural inputs and the range of community-defined outcomes, facilitating the development of culturally informed options and associated logic models (refer to Section 4.3).

Where culture is linked with improved outcomes, evidence should supplement and support the outcomes identified. This could include anecdotal and qualitative evidence from consultations with First Nations partners, or existing studies and evaluations. Understanding how culture influences outcomes will also help to identify potential benefits of an initiative for the purpose of conducting a CBA. Appendix A discusses how the economic framework of culture applies to CBA.

As always, it is best practice to *listen* and to *ask* how First Nations communities define and understand ‘culture’ without imposing your own thoughts and assumptions about it.

Closing the Gap targets and outcomes

The National Agreement on Closing the Gap is a partnership between Australian governments and the Coalition of Aboriginal and Torres Strait Islander Peak Organisations. The Agreement has 19 socio-economic targets across 17 socio-economic outcome areas. These were developed over years of consultation with community and demonstrate how culture contributes to broader outcomes but is also an outcome itself (i.e. Target 14, 15 and 16).⁵⁹

Closing the Gap targets and outcomes can help to inform objectives of relevant First Nations initiatives; however, it is important to note they may not capture all outcomes that are important to each community. Outcomes should be defined by community. Closing the Gap outcomes can then be aligned to the community-defined outcomes.

⁵⁹ Council of Australian Governments 2020.

Study 8: Applying the economic framework of culture to a languages initiative

Consider an initiative designed by, and for, First Nations communities to revitalise First Nations languages in NSW. Several cultural inputs are used in the design and delivery of the initiative, such as language, traditional knowledge, cultural expression and identity. These also become outcomes of the initiative.

For this example, the role of culture as an outcome will be emphasised, as the role of culture as an input to this program is straightforward; it would not be possible to design or implement an effective initiative without the cultural expertise of First Nations communities.

We can now use Table 12 to identify ways that culture can influence the outcomes of this initiative, through the following effects:

- **Improved generation and use of information:** This initiative would involve the creation and use of First Nations language resources, improving access for NSW communities.
- **Healing from trauma:** The erasure of First Nations languages is linked to historical traumas for First Nations people. An initiative seeking to revitalise languages helps to promote healing and improve connection to culture.
- **Building social capital and relationships:** Sharing languages can help to build relationships between community members and reinforce pride in First Nations identity.
- **More efficient and appropriate matching:** This initiative will assist in connecting people wanting to learn languages with suitable and well-resourced teachers.

Having considered the role of culture, we can now identify the specific outcomes of the initiative that will be influenced, and how. These include:

- reducing costs for accessing resources for learning First Nations languages
- improving social and emotional wellbeing of those who use First Nations languages
- improving connection to culture and sense of pride in First Nations identity
- improving employment opportunities for First Nations people by providing opportunities to teach languages and develop language resources.

Understanding the effect of culture on these outcomes can help to provide a pathway for appraising or evaluating the initiative. For more information, the Jumbunna Institute for Indigenous Education and Research at the University of Technology, in partnership with the NSW Aboriginal Languages Trust, conducted a literature review on the benefits of First Nations language use and revival in NSW.⁶⁰

60 Thorpe et al. 2021.

Study 9: The economic framework of culture in the context of maternity care

Consider a culturally informed maternity care service to improve pregnancy and birth outcomes for First Nations families. This service integrates cultural knowledge and practices into its design and delivery to enhance outcomes compared to a mainstream option.

Key cultural inputs to this initiative could include:

- **First Nations beliefs and knowledge:** First Nations medical professionals monitor and support mothers and families through pregnancy and birth, incorporating cultural knowledge and practices.
- **Self-determination and leadership:** service delivery led by First Nations health professionals, using a collaborative community development approach that integrates both First Nations and non-Indigenous birthing practices.
- **Family, kinship and community:** services delivered in the community, with staff actively engaging with the mother's wider family and community networks.
- **Connection to Country:** facilitating births in the community or on Country, emphasising the importance of connection to community and Country.

Drawing on these cultural inputs in the design and delivery of the initiative generates several effects that can lead to improved outcomes for First Nations families, such as:

- **More efficient and appropriate matching:** culturally appropriate care provided by First Nations health workers in the local community, with local training and employment of staff.
- **Improved generation and use of information:** restoration and use of cultural knowledge and capacity building in the community, integrating First Nations knowledge with Western knowledge of maternity care.
- **Improved coordination, governance and self-determination:** enhanced community control and participation in service delivery, for example through Aboriginal Community Controlled Health Organisations (ACCHOs).
- **Healing from trauma:** providing a supportive and culturally safe environment that acknowledges and addresses past trauma, particularly within healthcare environments.

Through these effects, the integration of cultural inputs into the maternity service can lead to improved pregnancy and birth outcomes for First Nations families.

These findings are supported by evidence from evaluations of real maternity services, such as the Aboriginal Maternal and Infant Health Service (AMIHS) and the Malabar Midwifery Service. The AMIHS is a continuity of care model with more than 40 sites across NSW, where First Nations health workers and midwives work together with other services to provide high quality maternity care. An evaluation of the AMIHS between 2016 and 2018 found significant improvements in maternal and infant health outcomes of women in the AMIHS compared to those who were not offered the program. These included more antenatal visits, earlier engagement with antenatal care, and reduced likelihood of preterm birth and babies with low birthweight.

The Malabar Community Midwifery Link Service is an AMIHS service provider integrated with the Royal Hospital for Women (RHW) in Randwick. An evaluation of the initiative found that, between 2007 and 2014, mothers in the Malabar service experienced higher spontaneous birth rates and better psychosocial support, compared to RHW's mainstream service. Mothers reported feeling safe and prepared for birth, receiving culturally safe care supported by an accessible and cohesive team. The service was seen as more than a clinical or educational service, contributing to the social, emotional and physical wellbeing of women and their families.

These initiatives improved outcomes for First Nations families by incorporating culture in service delivery, promoting self-determination and cultural continuity. The application of an economic framework of culture is necessary for us to properly understand why they work.

61 Bin et al. 2019. Ministry of Health 2021.

62 Hartz et al. 2019.

Insight 6: Background on Treasury's 'economic framework of culture'

Why was the economic framework of culture developed?

The framework was developed in response to opportunities and challenges highlighted in Treasury research,⁶³ including:

- Emerging evidence of the link between First Nations culture and outcomes: evidence demonstrates the positive association between culture and improved outcomes for First Nations people and communities (in Australia and internationally). This evidence informed the development of the economic framework of culture and can be drawn on to support the inclusion of First Nations cultures in initiative design.
- Ensuring cultural sensitivity in initiative design: the framework was developed to encourage early and meaningful consideration of culture in the design and evaluation of First Nations initiatives. This means recognising the value of First Nations culture as an asset to design more effective and culturally appropriate initiatives.

- Absence of a framework linking culture with outcomes: this gap has often led to logic models treating culture, and cultural outcomes, as symbolic 'add on' benefits, or included only in the final stages of economic appraisal.

What informed the economic framework of culture?

The economic framework of culture is supported by insights from NSW Treasury's ongoing engagement with First Nations stakeholders and community-controlled organisations, including review and analysis of business cases, evaluations and CBAs for First Nations initiatives in NSW and other jurisdictions.

The framework also draws on the theories and concepts from Elinor Ostrom's Institutional Analysis and Development (IAD) framework.⁶⁴ The IAD framework recognises the significance of institutions in governing common pool resources, facilitating cooperation, sharing information, and solving collective action problems.

NSW Treasury has adapted the IAD framework to assist in the recognition of culture as something that can lead to better outcomes if recognised in initiative design and evaluation. The effects associated with culture as an asset, outlined in Table 12, are grounded in established principles from the IAD framework.

Guiding questions – identifying outcomes

- What outcomes matter and are a priority to community? How does community define these?
- Has culture been captured as an input to the initiative? How does this influence outcomes?
- Has culture been considered to assist in understanding the underlying problem or opportunity?
- Have the proposed options and their scope identified culture as an asset that can improve outcomes?
- Have the effects (or ways) that culture can improve outcomes been clearly identified?
- What do outcomes look like in the case where culture is not an input to the initiative?

63 NSW Treasury 2024.

64 Ostrom 2011.

65 NSW Treasury 2023c.

66 A 'theory of change' is also known as an impact pathway, story of change or theory of action. The term 'logic model' is often used interchangeably with other terms including pathway of change, conceptual map, outcome map, roadmap, program blueprint, theory of change, model of change, framework of action or chain of causation.

4.3 Developing a logic model

A logic model is a structured, often linear, diagram that focuses on the operational aspects of an initiative. It outlines how inputs and activities link to outcomes in the short-, medium- and long-term.

A logic model is often based on the ‘theory of change’. The theory of change is a summary narrative or diagram that describes the underlying assumptions, strategies, conditions, resources and other contextual factors (political, social, economic and cultural) that lead to change. This level of detail is typically not captured in a logic model.

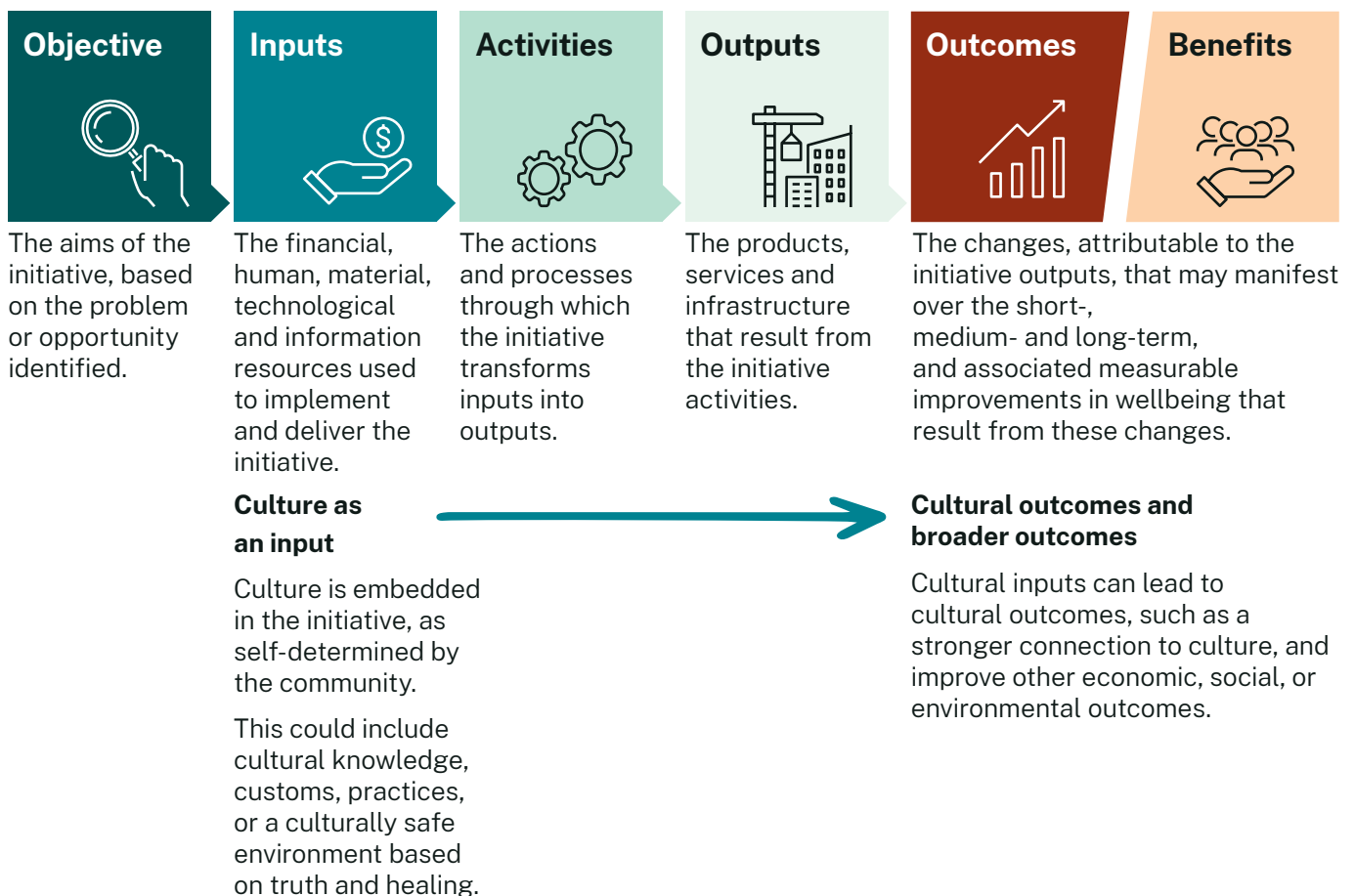
A logic model should identify priority outcomes. It can be used to set out the expected timing of implementation and realisation of outcomes and benefits, which can help guide CBA and outcome evaluation.

It is better to create a logic model at the inception of an initiative rather than at the end, such as for the purpose of an ex-post evaluation, to ensure the initiative’s operations are clear and agreed by all parties. All new policy proposals (NPPs) should include the logic model of an initiative. Refer to ‘Evaluation Workbook I. Foundations of Evaluation’ in further resources for more information on the theory of change and logic models, including templates.⁶⁵

When developing a theory of change or logic model, consider the language used and how accessible it is for various stakeholders, who may or may not be familiar with these tools. Be aware that theories of change and logic models may also be referred to using other terms.⁶⁶

Figure 8 shows the key components of a logic model, including a representation of how the economic framework of culture aligns with these components.

Figure 8: Logic model components and the economic framework of culture



Early involvement of communities in logic model development

When developing the case for change, proponents should in partnership with First Nations people, use an appropriate methodology (see Section 5.3) to explore and define short-, medium- and long-term outcomes sought. It should also identify the objectives of the proposed initiative, as well as the inputs, activities, outputs and anticipated benefits of the initiative.

It is important that the logic model embeds cultural and community perspectives developed in consultation with community representatives rather than asking community to review the logic model after it has been developed. This is necessary for genuine co-design and ensuring the logic model aligns with the needs and objectives of community.

Consider prior knowledge of logic models

Consider if stakeholders have prior experience developing logic models, including understanding of the terms and language used. Treasury consultations have highlighted that overly technical language can be a barrier when partnering with community on design and evaluation.⁶⁷

Consider opportunities to simplify language or allow sufficient time to ensure stakeholders understand what a logic model is and why it is important, including its components and how they differ.

Tailor logic models for place-based delivery

As highlighted throughout this chapter, each First Nations community may have differing aspirations and priorities, requiring a tailored place-based approach to initiative delivery.

Where applicable, logic models should capture the objectives and challenges of each community, rather than seek to replicate the logic from existing initiatives, or using generic models that would not reflect unique community needs.

Where statewide or region-specific initiatives are being delivered, consider adapting an existing logic model and tailoring it to reflect how it will operate in the local community and contribute to the broader outcomes. Develop tailored logic models and ensure agency policies align with community priorities.

Simple and overarching logic models

Smaller place-based initiatives may be part of larger initiatives. Larger initiatives typically have an overarching objective and include several interrelated sub-initiatives with their own objectives.

Detailed logic models should be developed for each sub-initiative, with an overarching logic model for the larger one.

Separate logic models are required to capture the differing community priorities for each place-based initiative. When part of a larger initiative, each logic model should highlight how the sub-initiative will contribute toward the broader objectives and outcomes of the larger one.

See [Evaluation Workbook VIII – Complex initiatives](#) for more on complex initiatives and overarching logic models.⁶⁸

View outcomes from the perspective of community

Viewing outcomes from the perspective of community means thinking beyond outputs and considering the full range of impacts.

While it is useful to measure outputs to gauge the type or **quantity** of work achieved, evaluations should report on both the **quality** of the work and its effectiveness, that is the outcome for the community.

Evaluate for outcomes to determine the success of the initiative. Measuring outputs alone cannot reveal whether the initiative is achieving its intended outcomes. This is relevant for all outcome and economic evaluations.⁶⁹

Considering the full range of impacts to community includes acknowledging that outcomes will likely intersect with other government portfolio areas and may be influenced by other initiatives and many external factors. For example, an initiative to increase educational attainment will not only impact education outcomes, but may also affect outcomes in health, employment and justice portfolios, noting changes may be positive or negative.

67 NSW Treasury 2022.

68 NSW Treasury 2023d.

69 NSW Treasury 2023e.

Table 13 distinguishes outputs and outcomes and lists a range of outcomes that could be realised from a hypothetical output.

Outcomes should be reflective of what community values, rather than predetermined by the proponent or limited to the responsibilities of one government agency.

Table 13: Distinguishing outputs and outcomes

Output	Example outcomes
Specialised cultural training program for First Nations teachers	<ul style="list-style-type: none"> • Students have access to culturally informed learning • Students improve connection to culture and Country • Increased school engagement and performance • Increased job satisfaction and retention of First Nations teachers
New employment opportunities for First Nations health and medical professionals in remote communities	<ul style="list-style-type: none"> • Improved community awareness of available health services • Increased trust and engagement in health services • Improved patient health outcomes • Reduced costs to public hospitals due to improved access to primary care
Land maintained through cultural burning practices	<ul style="list-style-type: none"> • Increased connection to culture and Country • Increase in awareness of benefits from cultural knowledge • Improved biodiversity and protection of culturally significant sites • Cultural rejuvenation and enablement of other cultural practices • Improved health outcomes for cultural fire practitioners
Upgraded road infrastructure in regional or remote communities	<ul style="list-style-type: none"> • Improved access to local training and employment opportunities • Improved access for emergency vehicles and postal deliveries • Increased community pride and engagement • Increase in school attendance and educational attainment • Improved health from increased physical activity
Culturally informed mentoring for employment and entrepreneurship	<ul style="list-style-type: none"> • Increase in First Nations owned businesses • Increase in lifetime income and intergenerational wealth • Increase in employment rate and employment retention

Acknowledge the importance of qualitative outcomes

Qualitative outcomes, such as culture, can be easy to identify but difficult to measure. While these outcomes may be harder to measure in terms of 'units,' they remain important for shaping initiative design and evaluation, particularly when such outcomes genuinely matter to First Nations communities.

Logic models should include qualitative outcomes including outcomes that are difficult to assess. The supporting business case or CBA should provide evidence for assumptions on the links between outputs and qualitative outcomes. Qualitative evidence, such as sources listed in Chapter 5, can indicate if qualitative outcomes are likely to be realised. Further, as highlighted in the economic framework of culture (Section 4.2), the achievement of broader, more measurable, outcomes can give an indication of whether other qualitative outcomes are being achieved (i.e. cultural outcomes).

Measure short-, medium- and long-term outcomes

Outcomes can be realised at different points in time and may require varying levels of resourcing and funding to be achieved. It is likely that initiatives informed and led by First Nations communities will have intergenerational impacts. These impacts can only be assessed over the long term. For these reasons, logic models and evaluations should categorise and measure short-, medium- and long-term outcomes.

The evaluation of short- and medium-term outcomes can be used as indicators to determine whether the initiative is on the right track to achieving its long-term outcomes.

Consider possible limitations of short-term funding periods and be realistic about what outcomes can be achieved with given funding amounts. Additionally, it is important to consider strategies for addressing attribution challenges when evaluating for outcomes and impact.

Retrospective logic models

Many existing initiatives do not have a logic model in place, which makes their evaluation more challenging. It is not always clear what the objective of the initiative was, or what outcomes its success should be measured against. Moreover, poorly specified initiatives lead to a poor understanding of how the initiative was intended to operate and whether the appropriate data was collected.

In cases where an initiative is already implemented but has no logic model, a retrospective logic model should be developed to support its evaluation. A retrospective logic model helps to map out and establish the links between the different components of an initiative i.e. objective, inputs, outputs, outcome and benefits that should be realised from the initiative. It helps evaluators determine if data that was collected over the lifecycle of the initiative aligns with the outcomes the initiative was designed to achieve.

The process for developing a retrospective logic model will be the same as for a new logic model. Ensure the logic model is developed in partnership with community and draws on the knowledge and expertise of service providers who have been involved in its delivery. The model should reflect the initial intent of the funded initiative. Identify what the outcomes are, or should have been, and assess if the data collected is suitable.

Other considerations for designing a theory of change or logic model with community

Consider the following when planning sessions to develop a logic model in partnership with First Nations communities:

- **Session format:** understand community preferences for how the logic model session should run. This will often involve in-person sessions, which can help to build trusting relationships with community. Allow time and budget to travel to community.
- **Participants:** learn from community representatives who should be involved in the session, including who will facilitate or lead. This could include both service users and service providers.

Make sure community are comfortable with who will attend from government or consultancies. This is important if, for example, men's or women's business will be discussed.

- **Time:** be flexible with how much time is allocated to developing the logic model with community, including what time of day. Sessions may need to be held outside of business hours for increased participation.
- **Other issues:** allow space to listen to, and keep a separate log of, issues that are beyond the scope of the logic model. Determine how these should be addressed and if they can help to inform the implementation, monitoring or evaluation of an initiative.

Acknowledge that time required will vary based on several factors, such as communities' prior understanding of logic models, and Yarning and listening time during the session. Allocate time to listen to community about the work they do, opportunities that exist, or barriers and challenges they encounter.

It is possible that the logic model will not be developed in one session. Allow time to conduct multiple sessions, if required, as well as for participants to reflect on and review the logic model following a session.

- **Location:** in addition to the time allocated, be flexible with where the sessions are located. The location should be determined by community representatives. Be open to travelling to attend sessions held in the community.
- **Remuneration:** where appropriate, ensure that community representatives are resourced for their time and expertise.
- **Technology:** where collaborative digital tools are used, ensure options are accessible for participants.

These points summarise some of the key themes raised in NSW Treasury consultations (see 'Further resources' below).

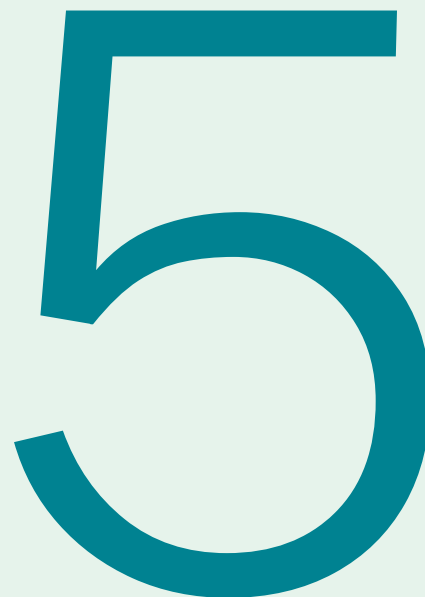
Further resources

- [Evaluation Policy and Guidelines \(TPG22-22\)](#) (NSW Treasury, 2023e)
- [Evaluation workbooks](#) (NSW Treasury, 2023d)
- [Shaping evaluation of policies and programs impacting First Nations people – Consultation listening series](#) (NSW Treasury, 2022).

Guiding questions – developing a theory of change or logic model

- How will you partner with First Nations people to develop the theory of change and logic model?
- Do community representatives already have a good understanding of logic models and their components? Does additional time need to be allocated to help build community understanding?
- Are the priorities, aspirations and the knowledge of First Nations communities (the service users or providers) reflected in the logic model?
- Have similar initiatives been implemented by First Nations people in NSW or other jurisdictions? If yes, what lessons have been learnt? How can these lessons inform the design of this initiative?
- Does the logic model track short- and medium-term outcomes? Can this help to inform if long-term or intergenerational outcomes will be achieved?
- What inputs are required for the initiative to demonstrate expected outcomes, or improve outcomes and benefits?
- What underlying assumptions are made about the causal links in this initiative? What factors are critical to its success? What risks or barriers should be considered and how can they be mitigated? What evidence is there to support the relationship between cause and effect?
- What is the 'do nothing' or 'do minimum scenario,' i.e. the base case (for comparison)?

Data collection, access and analysis



This chapter provides guidance on data collection, access and analysis for the design and evaluation of First Nations initiatives, including:

- identifying **what data and information is important** for local and shared decision-making (Section 5.1)
- understanding **Indigenous Data Sovereignty and Governance** (Section 5.2)
- culturally appropriate **data collection and storage** (Section 5.3)
- taking a First Nations informed approach to **analysis and interpretation** (Section 5.4).

Government reporting often presents aggregated findings on First Nations people and communities at a state or national level. This limits the understanding of how initiatives are performing at the local level and how resources should be efficiently allocated. First Nations people require access to local level data to enable local and shared decision-making with government.

The chosen approach to data collection, access and analysis should be culturally responsive as well as appropriate, ethical and abide by 'Indigenous Data Sovereignty' and 'Indigenous Data Governance' principles. This goes a long way towards improving capability and enables analysis of community-defined data.

Consideration should be given to privacy, consent and the need for de-identified data for local level insights, particularly for communities with small populations. Identification of data should be done in partnership with First Nations people and consent should be obtained from First Nations data custodians.

It is important to establish an approach to data collection and monitoring performance in the design stage to ensure that evaluations are based on high quality evidence that is responsive to local priorities.

Opportunity

Principles of Indigenous Data Governance and Indigenous Data Sovereignty are embedded in appraisal and evaluation practice in a culturally responsive and meaningful way to improve the quality and breadth of analysis.

5.1 What data is important?

After working with First Nations partners and other community stakeholders to establish the outcomes associated with an initiative (Chapter 4), work together to identify how these can be measured in a pre-implementation appraisal, or subsequent evaluation.

When working through the guidance in this chapter, keep earlier topics of this Framework in mind. Approaches taken to collect, analyse and disseminate data should:

- ensure cultural safety (Section 2.1)
- be ethical (Section 2.4)
- be informed by principles agreed in partnership with First Nations people (Sections 2.2 and 3.3)

Identify the appropriate data for measuring community-defined outcomes

Work with First Nations partners to agree what kinds of data should be used to measure and assess the achievement of outcomes at different stages of an initiative's lifecycle. Data requirements should target the outcomes that a community has identified as a priority (Section 4.2) and be accepted as credible by community partners and stakeholders.

Recognise and understand varying data needs across different communities

Be aware that data needs and preferences may vary between First Nations communities.

Data relating to First Nations people and communities in Australia is often reported at the national or state level. First Nations people have long called for regional and local reporting to support community decision-making. This includes requests for a data that reflects the unique priorities, cultures and stories of First Nations people and communities.

The National Agreement on Closing the Gap: Priority Reform 4 aims to improve access to data and information at a regional level.⁷⁰ The Agreement requires governments to 'collect, handle and report data at sufficient levels of disaggregation, and in an accessible and timely way, to empower local Aboriginal and Torres Strait Islander communities to access, use and interpret data for local decision-making'.

Managing privacy risks from local level data

Reporting of disaggregated data and provision of local level insights can present privacy challenges especially when data collected provides insights on a small population and individuals can be easily identified.

Ensure the privacy of individuals is maintained, and where de-identification is difficult, consider alternative approaches. Reported findings on small populations should also be reviewed by community members prior to the evaluation report being finalised and approved.

Guiding questions – identifying First Nations data

- What data governance arrangements should be established prior to data being identified and collected?
- What type of data does the community require and consider a priority at the local level?
- What existing data, if any, will be used to measure and track performance of the initiative? Does this data align with community defined outcomes?
- What are the limitations and risks of using the existing data?
- How will consent be obtained?
- How will the data collected ensure the privacy of individuals and communities is maintained?
- What insights can the data provide for community? Is the data collected relevant, meaningful and useful for community and decision making?
- How does the data identified align with the National Agreement on Closing the Gap data priorities?

5.2 Data sovereignty and governance

After identifying what data is important for initiative design or evaluation, explore what data exists within both community and government, and negotiate access, collection, storage, use and reuse of the data in line with Indigenous Data Sovereignty (IDS) and Indigenous Data Governance (IDG) principles.

IDS describes the rights of First Nations people to exercise ownership and control over First Nations data, while IDG describes the rights of First Nations people to determine what, why and how data is collected and managed.⁷¹ IDG ensures that First Nations people are not restricted from accessing and using community data.⁷²

Be guided by First Nations partners and stakeholders on what constitutes IDG for a specific initiative. While

engagement in activities or forums, such as data advisory groups, panels, workshops and discussions can contribute to IDS and IDG, other governance arrangements may be sought.

The NSW Coalition of Aboriginal Peak Organisations (NSW CAPO) has developed NSW-specific definitions and guidance on data sovereignty and governance in partnership with community and government (Insight 7).

Mayi Kuwayu: The National Longitudinal Study of Aboriginal and Torres Strait Islander Wellbeing (Study 10) provides an example of how IDS and IDG can be built into processes for data identification, collection, analysis, access and storage.

Insight 7: Definitions used in NSW

The NSW Coalition of Aboriginal Peak Organisations (NSW CAPO)⁷³ has developed the following NSW-specific definitions for Aboriginal Data Sovereignty and Governance in partnership with Aboriginal communities and government stakeholders.⁷⁴

Aboriginal Data Sovereignty

Aboriginal Data Sovereignty acknowledges that data holds immense cultural, historical, and community significance and that Aboriginal communities within NSW should have authority and agency over how community data is used and shared.

In NSW, Aboriginal Data Sovereignty goes beyond concepts of ownership and control to encompass the broader framework of self-determination and governance over data by Aboriginal communities;

and asserts that NSW Aboriginal communities have the right to determine what, and how, data is collected, accessed, used, and shared to enable Aboriginal people to reclaim control over their communities' data and shape the stories around communities' own experiences, knowledge, and aspirations.

Aboriginal Data Governance

Aboriginal Data Governance focuses on the processes and mechanisms governing data within communities, including data protocols, privacy and confidentiality considerations, and governance. It offers the practical frameworks and principles that enable NSW Aboriginal communities to manage community data effectively; and promotes the development of governance that aligns with community values, protocols, and priorities. Aboriginal Data Governance also emphasises the involvement of communities in decision-making, the establishment of ethical guidelines and the protection of data privacy and security.

71 Kukutai & Taylor 2016., Snipp 2016, NSW Coalition of Aboriginal Peak Organisations 2023.

72 Maïam nayri Wingara 2018.

73 NSW CAPO; Gage L. 2023.

74 While 'Indigenous' Data Sovereignty and Governance are terms commonly used in the literature, NSW CAPO has adopted the term 'Aboriginal' Data Sovereignty and Governance.

Study 10: Indigenous Data Sovereignty and Governance in practice – Mayi Kuwayu

Mayi Kuwayu: The National Longitudinal Study of Aboriginal and Torres Strait Islander Wellbeing examines how First Nations cultures strengthen the health and wellbeing of First Nations people.⁷⁵ In the Ngiyampaa language of the Wongaibon peoples of NSW, 'Mayi Kuwayu' means 'to follow Aboriginal people over a long time'.

The study has been developed by First Nations researchers and staff at the Australian National University to address the gap in quantitative evidence about the links between First Nations cultures, health and wellbeing. The survey is open to any First Nations person 16 years or older.

The development and ongoing management of the study demonstrates strong Indigenous Data Sovereignty and Indigenous Data Governance practices. Key elements include:

- **Survey design:** the cultural indicators included in the survey were developed iteratively in consultation with First Nations people across Australia through a series of 24 focus groups, and pilot tested in two proof-of-concept studies. This enabled the survey to capture cultural practices and expressions in a way that is meaningful to First Nations people across diverse settings.

- **Consent:** participation in the survey is voluntary. Individuals considering the survey receive a plain-language information sheet and staged consent form allowing them to choose the elements of the study in which they participate. Participants can withdraw consent at any time.
- **Governance:** decisions regarding the use, and reuse, of data are governed by the Mayi Kuwayu Data Governance Committee.
- **Application for data analysis:** individuals or organisations can apply for specific data analysis to be undertaken by the Mayi Kuwayu Study team. Applications must outline and justify the scope and purpose of the research, include evidence of genuine engagement with First Nations peoples and community support, and supply an ethics committee approval.
- **Application review process:** applications are reviewed by the Governance Committee against the Maiam nayri Wingara Indigenous Data Sovereignty Principles.
- **Storage:** De-identified data is stored securely by the Mayi Kuwayu Study Team. No underlying survey data is supplied directly to applicants to ensure that it is kept safe and confidential.

75 Australian National University 2023; Jones et. al. 2018; and Mayi Kuwayu 2019.

Develop data sovereignty and governance agreements

Work with respective First Nations communities to develop and agree on IDS and IDG principles and protocols. This includes understanding if data protocols are already established, or if a tailored agreement should be developed with stakeholders.

The agreement should ensure First Nations people maintain rights to data and describe protocols on key issues including:

- obtaining consent
- identifying data and the data custodians
- data collection, use and storage (including restricted vs public access, and the use of mechanisms to protect intellectual property, sacred or sensitive information)
- how data will be analysed and interpreted, and who by
- dissemination and reuse of data appropriate to the target audience.

Where data incorporates Indigenous Cultural and Intellectual Property (ICIP) (see Section 2.4) discuss this explicitly when making data agreements.⁷⁶

Benefits of establishing data sovereignty and governance agreements include:

- supporting effective self-governance and informed decision-making by First Nations people

- focusing data collection on the information that is prioritised by First Nations communities
- fostering trust and strengthening relationships
- supporting two-way accountability.

Identify and address any barriers that may be encountered when data is collected, such as costs that may be incurred by First Nations people and communities involved.

Work is progressing under Priority Reform 4 to understand and establish appropriate IDG and IDS approaches including in instances where government collects First Nations data for administrative purposes.

Further resources

- [AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research](#) (AIATSIS, 2020a)
- [Aboriginal Data Governance in practice in NSW](#) (NSW CAPO 2023)
- [Ethical conduct in research with Aboriginal and Torres Strait Islander Peoples and communities](#) (AHMRC, 2018)
- [Aboriginal Participatory action research: An Indigenous research methodology strengthening decolonisation and social and emotional wellbeing](#) (Lowitja Institute, 2020)
- [Maiaam nayri Wingara Indigenous Data Sovereignty Communique](#) (Maiaam nayri Wingara, 2018).

Guiding questions – Indigenous Data Sovereignty and Governance

- What data guidance principles have been established in partnership with community?
- How do the principles identified abide with the Maiaam nayri Wingara Indigenous Data Sovereignty principles?
- How will a data agreement and management plan be developed in partnership with community?
 - What data governance arrangements need to be in place?
 - How will the data custodians be identified?
 - Does the data and governance agreement articulate the post project governance and management of data terms? What do they include?
 - How will First Nations participants maintain ownership of cultural and intellectual property rights over the information provided in this evaluation? How will this be acknowledged in the research agreements, protocols and outputs?
- What protocols, consent, intellectual property, copyright or ethical issues must be considered?

⁷⁶ Agencies can consider developing internal guidance on ICIP protocols in partnership with First Nations people.

5.3 Data collection and First Nations evaluation methods

Before commencing data collection activities, work with partners to agree on the approach to economic appraisal (for initiative design) and evaluation.

For economic appraisal, developing options that respond to the identified problem or opportunity, and establishing the base case is required before progressing with data collection for valuing benefits. Further guidance on this is provided in Appendix A.

Evaluation Policy and Guidelines (TPG22-22) sets out best practice principles for evaluation. Work in partnership with First Nations stakeholders to:

- define the purpose and scope of the evaluation
- determine the key evaluation questions and methods
- establish appropriate governance for the evaluation.

Determine if formal ethics approval is required and when unsure seek early guidance from an ethics committee (see Section 2.4). Determine whether additional community protocols should be observed and if consent is required from authorised community representatives.

Framing initiative design and evaluation through a First Nations lens

Draw on collaborative and First Nations informed methods when designing and evaluating initiatives. For example, the Aboriginal Participatory Action Research (APAR) approach, which has its roots in Participatory Action Research (PAR), is centred on self-determination and shared decision-making (see Insight 8).

APAR approaches embed First Nations ways of doing and knowing by capturing the unique stories, lived experiences and attributes of First Nations people and communities, including the connections between culture, community, and Country.

The APAR way enables self-determination and ensures partnerships meet community expectations (see Chapter 3).⁷⁷ Other benefits of APAR include:

- co-learning between evaluators, researchers and community representatives to build capability in First Nations knowledge and ways of doing
- reduced likelihood of misrepresentation of First Nations people, communities and cultures by evaluators and professionals
- allowing the cultural context to influence research approaches by considering the appropriateness of values embedded in research methodologies⁷⁸
- attributing traditional and cultural knowledge, and formally acknowledging community authors as co-authors.

⁷⁷ Baum, MacDougall & Smith 2006, Brocklesby & Beall 2018.

⁷⁸ Brocklesby & Beall 2018.

Insight 8: A guiding framework for evaluation – Participatory Action Research (PAR) approach

Participatory Action Research (PAR) underpins First Nations methodologies. It requires collaboration with community members whose views are informed by strong values, and local self-determined approaches.⁷⁹

PAR approaches enable integration of First Nations knowledge, data and methods into the lifecycle of an initiative. Community members are considered experts and legitimate sources of knowledge.

PAR approaches enable shared decision-making and control of initiative design, implementation and evaluation. This includes problem definition, determining evaluation questions and related processes e.g. data collection, interpretation, dissemination and translation.

PAR is used interchangeably with ‘action research, experience-based co-design, community-based participatory research (CBPR), or community operational research’.



Aboriginal Participatory Action Research: An Indigenous research methodology strengthening decolonisation and social and emotional wellbeing (Dudgeon et al. 2020)

The Lowitja Institute’s Aboriginal Participatory Action Research (APAR) discussion paper and literature review provides foundational knowledge on Indigenous methodologies that are informed by Indigenous theory.

The discussion paper distinguishes APAR from PAR to ensure First Nations knowledge, values and voices are elevated in research and practice.

Additional approaches that can be integrated with APAR include ‘Weaving’⁸⁰ and the Two Eyed Seeing approach.⁸¹ Both approaches are strengths-based and provide guiding frameworks that reconcile the use of non-Indigenous methods and theories with First Nations knowledge and ways of living.

79 Brocklesby & Beall 2018.

80 Dreise & Mazurski 2018.

81 Bartlett, Marshall & Marshall 2012.

Integrating First Nations methods into data collection approaches

Draw on First Nations methods when collecting information and partner with community to determine the most appropriate approach.

When selecting data collection methods, consider both feasibility and potential limitations. For example, surveys are a cost-effective means of collecting data from many respondents. But a survey may not be the most appropriate tool for obtaining detailed qualitative responses. It may also fail to measure depth of feelings, or capture the extent to which people will be willing to change their opinion when presented with new information.

Consider limitations that may affect respondents, such as limited access to email and the internet, respondents being time constrained, likelihood of low response rates, or the type of information that can be collected.

In partnership, determine if the collected data will be used for future purposes, who can access it and what protocols for accessing and repurposing data are appropriate. A waiver of consent for the use of data for different evaluation purposes may be required. This can be granted through a Human Research Ethics Committee.

Explore what relevant data may be accessible from government and the broader public domain. Further guidance and a list of examples of repositories is provided in the Evaluation Guidelines 'Evidence in Evaluation' technical note (see further resources)

Quantitative data collection

When collecting, analysing and reporting on quantitative data, adopt an approach such as APAR that respects and integrates the perspectives and priorities of First Nations communities. This approach requires that First Nations people are actively involved in every step of the quantitative processes – from deciding what data should be collected to analysing and interpreting the results.

An APAR-informed quantitative data collection approach involves the systematic collection and analysis of numerical data to explore patterns, relationships and trends within First Nations communities. Enable First Nations partners to lead or engage in the ongoing processes of planning, commissioning, collecting, analysing and interpreting statistics (see Study 11).

Use existing culturally appropriate data collection tools or consider developing new ones where feasible. Where data has been captured with existing tools or instruments, consider how to test and adapt these systems to ensure they are culturally appropriate and effectively embed First Nations cultures and values to accurately capture outcomes.

For example, measures of quality of life are used in health research and evaluation to guide future policy and clinical practice. The EQ-5D-5L is one such measurement tool that encompasses five quality of life domains: mobility, self-care, usual activities, pain and discomfort, and anxiety and depression.

A study in South Australia evaluated the validity and reliability of the EQ-5D-5L for measuring the quality of life for First Nations people.⁸² This involved establishing a First Nations reference group and analysing the data collected using the tool for a sample of over 1,000 First Nations adults. The project found that the instrument produced valid estimates for each of the five domains. Further evaluation was, however recommended to explore the inclusion of additional dimensions of quality of life for First Nations people, such as spirituality, and connection to Country.

Footprints in Time: The Longitudinal Study of Indigenous Children – a national cohort of First Nations children and their parents and carers, adopts a participatory action research approach to generate findings that are useful for participants and communities. The study, led and governed by First Nations researchers, uses various quantitative frameworks to measure participant outcomes. The Strong Souls Index, developed with and specifically for First Nations people, is one such instrument used to assess social and emotional wellbeing among First Nations adolescents and is a valid and reliable measure of resilience among First Nations youth.⁸³

Adaptation of data collection and classification systems should occur in consultation with First Nations people, potentially through representatives from a First Nations reference group comprising a diverse range of community participants, including individuals from various language groups where possible.

82 Ribeiro Santiago et al. 2021.

83 Thurber et al. 2019.

Study 11: Integrating First Nations approaches and data collection methods in the NCARA Local Decision Making evaluation

The Murdi Paaki Regional Alliance (MPRA) Local Decision Making evaluation⁸⁴ conducted by the Centre for Aboriginal Economic Policy Research (CAEPR) used participatory action research methods⁸⁵ and adopted a 'Weaving Knowledges' approach.⁸⁶ This approach integrates First Nations knowledge with public sector and academic practices, creating opportunities for knowledge and skills transfer.

Key features of the evaluation process included:

- **Active community participation in all stages:** including identifying research questions, planning, data collection, analysis, and drawing conclusions. Community participants not compensated by their employers were paid for their time.
- **Community-based researchers:** the CAEPR research team was supported by four community-based researchers with local knowledge and established community relationships. CAEPR trained and briefed the community-based researchers on Country. The community-based researchers identified key stakeholders for interviews in each town, including Elders, Chairs or CEOs of Local Aboriginal Land Councils, and staff from Aboriginal Community Controlled Health Organisations and Aboriginal people associated with a range of other organisations in the Murdi Paaki footprint. The local researchers also planned interview schedules for community members. In some communities, they undertook semi-structured interviews independently, providing recordings or notes to the CAEPR team.

The evaluation identified positive outcomes by implementing Local Decision Making in the region, as well as opportunities for improvement.

It was reported that Local Decision Making allowed community members to hold government accountable for how money was spent and how services were being delivered in areas such as early education, community services, housing, and health. It also found that community members and organisations had increased awareness of funding.

The evaluation developed case studies outlining some of the quantitative outcomes and benefits arising from the initiative.⁸⁷ It also reported on various qualitative outcomes that could potentially be quantified in future evaluations.

84 O'Bryan & Markham 2023.

85 Participatory methods take a partnership approach and aim to ensure various stakeholder groups (such as program beneficiaries, funders, government and key decision-makers) play active roles in the evaluation process.

86 Dreise & Mazurski 201; O'Bryan & Markham 2023.

87 O'Bryan and Markham 2023.

Qualitative data collection

There is a wide range of qualitative First Nations data collection methods that may be specific to communities and cultures (see Table 14).⁸⁸ Partner with First Nations people to understand the most appropriate qualitative data collection methods.

Table 14: Culturally responsive qualitative evidence collection approaches

Approach	Method	Focus of data	Benefits
Oral tradition and narrative inquiry	<ul style="list-style-type: none"> Yarning⁸⁹ 	<p>Community-driven two-way knowledge exchange processes that abide by First Nations cultural protocols.⁹⁰</p> <p>They differ from formal or semi-structured interviews where the evaluator leads and determines the questions.</p>	<ul style="list-style-type: none"> Listens to First Nations voices and builds trusting relationships.⁹¹ Enables intergenerational knowledge exchange, establishes shared understanding and takes varying formats e.g. fire circles with Elders, women's or men's circles.
	<ul style="list-style-type: none"> Story telling 	<p>Often integrated with the Yarning process, it enables participants to describe their answers orally.</p>	<ul style="list-style-type: none"> Highlights aspects of culture that are valued and enables language, creation, and cultural stories to be articulated in ways that maintain links between land, story, history, present and future.⁹² A useful way of disseminating knowledge that is uncovered in the data collection and analysis phases.⁹³
Visual and observation	<ul style="list-style-type: none"> Photovoice⁹⁴ 	<p>Community Based Participatory methods that rely on community photography to highlight the lived experiences of people.</p>	<ul style="list-style-type: none"> Elevates community voices and promotes awareness of key opportunities or issues.
	<ul style="list-style-type: none"> Ethnography Autoethnography 	<p>Loosely connected methods that seek to understand perspectives by observing people, participating in their everyday lives and linking lived experience to broader social contexts.⁹⁵</p>	<ul style="list-style-type: none"> Enables critical self-reflection, observation of cultural practice and patterns in the everyday life of individuals and communities. Informs analysis and interpretation of data.

88 Dawson et al. 2017, Walter & Andersen 2013.

89 Yarning may take several forms e.g. familial yarning, focus groups or topic specific yarns. Dreise & Mazurski (2018), Dudgeon, et al. 2020.

90 Fredericks et al 2011.

91 Geia et al 2013., Hall 2000.

92 Wright et al 2012.

93 Christensen 2012.

94 Anderson et al. 2023.

95 Godinho & Singh 2014.

Approach	Method	Focus of data	Benefits
Performance based	<ul style="list-style-type: none"> • Cultural mapping • Ceremonial performance 	Methods that represent the cultural landscape of a community by mapping significant sites, resources and stories or ceremonies to preserve and communicate cultural knowledge.	<ul style="list-style-type: none"> • Makes visible the local stories, practices, relationships, memories, rituals. • Provides insights into cultural beliefs, kinship system and historical events.
Ecological	<ul style="list-style-type: none"> • Ethnobotany • Traditional Ecological Knowledge 	Approaches that document ecological knowledge related to the sea, sky, waterways, animals, plants and climate.	<ul style="list-style-type: none"> • Recognises First Nations peoples' deep connection to the land and sustainable resource management practices. • Data helps address environmental challenges and support sustainable practices.
Other	<ul style="list-style-type: none"> • Mixed methods 	A synthesis of quantitative and qualitative approaches that draws on First Nations informed research methods ⁹⁶	<ul style="list-style-type: none"> • Integrated approach provides important context to statistical and qualitative data sources.

Establishing a baseline

As part of Closing the Gap Priority Reform 4, the NSW Government commenced the process of capturing data that is available and relevant to First Nations communities. Community data priorities include family history records, supports, procurement information, employment data, housing access, and tenancy support.

Moreover, the NSW Government is committed to evaluating major spending on targeted services and programs in partnership with First Nations people to identify re-prioritisation opportunities in line with clause 113 of the National Agreement on Closing the Gap.

⁹⁶ Botha 2011.

Data storage

The storage of First Nations data should be determined by First Nations people in line with IDS and IDG principles. The data agreement developed in partnership should identify protocols around storage, access, use and reuse of data. The agreement should also clearly indicate:

- who is responsible for storage
- where the data will be stored
- how community can gain access
- protocols around confidentiality, deidentification of raw data and respect for cultural and intellectual property rights
- protocols around digitisation of certain types of data
- how long data will be kept and when it will be destroyed (if applicable).

When designing new initiatives and evaluations, consider the feasibility of a community-controlled data repository that ensures that First Nations people own, manage and govern the storage of data, and determine who has access and how data, and under what conditions, data can be reused.

Further resources

- [‘Evidence in Evaluation’ TPG 22-22 Policy and Guidelines: Evaluation – Technical Note](#) (NSW Treasury, 2023g).

Guiding questions – data collection and storage

- How will you partner with First Nations people to identify and agree on data to be collected, including the frequency of its collection?
- How will consent be given for the collection, use, storage or reuse of stories, photographs, video recordings and any other type of data in the reports?
- Are there existing data sources to draw on? Is the data an appropriate and adequate indicator for assessing the achievement of outcomes being measured for the initiative?
- What data collection limitations exist due to the community’s cultural values?
- If new data is required, how much will it cost to collect?
- Who will be responsible for the collection and storage of data? Is it appropriate for them to collect and store the data?
- Who is authorised to collect, analyse and store data?
- How does the chosen approach to data collection abide by the First Nations principles of data sovereignty and governance?
- How and where will data be stored?
- Who can access the data and how can they access it? What systems are required to ensure First Nations people have access and retain control over use of data?
- How have First Nations cultural protocols been considered in data collection and storage? Do governance arrangements ensure that cultural property, especially images, are used in line with these protocols?

5.4 Analysis and interpretation

When the roles and responsibilities of new partnerships are established (see Section 3.3), consider how First Nations people can lead or guide data analysis, interpretation and reporting including informing the selection of analysis methods. Ensure adequate time and resources are allocated for review by First Nations partners.

Provide opportunities for First Nations partners to validate the data and contribute to interpretation. This approach will help ensure that First Nations perspectives are reflected, support accountability to community and strengthen the reported result.

Where it is difficult to integrate a collaborative approach into the analysis, consider alternatives. Discuss the best approach towards analysing and interpreting data with First Nations partners and consider options to build capacity in First Nations organisations and communities. For example, where First Nations experts may not be available to conduct the analysis, allow opportunities for First Nations representatives to verify the analysis, or support interpretation and reporting.

Analysis and interpretation should ensure reported findings:

- represent the true and varied lived experiences of First Nations end-users
- highlight the underlying assumptions that inform analysis⁹⁷
- are meaningful to First Nations people and can be easily understood
- are transparent, and
- maintain data integrity.

This will help improve the credibility, and usefulness, of findings and promote truth telling.

Guiding questions – analysis and interpretation

- How will First Nations experts or representatives engage in the analysis?
- How will analysis be conducted? Who will be involved in the process?
- How will you identify and engage with data custodians?
- How will individual and collective interests be protected through the approach taken to analysis and interpretation?
- Does the analysis provide local level insights? Can findings be disaggregated?
- What are the limitations of the analysis? How has the validity of the interpretation been tested?
- What process has been established to validate findings? How might any disagreement from community be addressed prior to the report being finalised?

⁹⁷ Kovach 2009, p.46.

Transparency and accountability



Accountability and transparency are core principles in any partnership, and underpin initiative design, delivery and evaluation. While First Nations and non-Indigenous understandings of accountability may differ, effective partnerships will generate a shared understanding of who is accountable for what, and how to ensure all parties deliver on their commitments.

Good practice is to take a proactive approach by interpreting information and designing solutions in partnership with First Nations communities.

This chapter provides guidance on:

- facilitating accountability **in the early stages of policy design** (Section 6.1)
- developing a knowledge translation plan and **reporting findings** in an accessible way (Section 6.2)
- **publication of findings** and ensuring reports are shared with community (Section 6.3.)
- **use of evaluation findings** (Section 6.4.).

The Australian Productivity Commission has found that First Nations people often have limited input into evaluation and governments do not appropriately consider evidence, or experience, when formulating new initiatives. Effective programs may be cancelled while ineffective ones continue to be funded⁹⁸. Currently, it is not easy for policy makers and other evaluation users to access evaluation evidence, nor is it easy to identify the evidence gaps that evaluations could fill. Many evaluations are not published, and evaluation evidence is not collected in one central place.⁹⁹

Government and community can both benefit from sharing the important information they hold about what works in initiative design, and delivery. Effective partnerships ensure that this information is shared, as it helps to build a common understanding of what kinds of initiatives to prioritise.

Increasing the publication and use of economic appraisal and evaluation evidence, underpinned by partnership and shared decision-making principles, will add to the efficacy of funding decisions.

Opportunity

To improve accountability and transparency and ensure high-quality evidence is accessible to community and decision-makers.

98 Productivity Commission 2024.

99 Ibid.

6.1 Facilitating accountability early in the policy process

Accountability has different meanings for different people in different contexts, and a First Nations understanding of accountability may differ from other perspectives. Power imbalances limit the ability of First Nations communities to hold governments accountable for delivering effective initiatives.

Table 15 below provides examples of how government and community perceptions of accountability may differ. It is important to recognise these differences so that all stakeholders can have a common understanding of what accountability means when working together in a partnership.

Table 15: First Nations and Western understandings of accountability

Western liberal democratic	First Nations
Concerned with transparency	Concerned with relationships and relationality
Individual rights-based	Collective rights-based
Rights to information	Rights to relationship, process, and informed decision-making
Cycled around elections, key reporting events, and electoral consequences	Cycled around outcomes-based monitoring, procedural compliance, and the point of decision-making
Siloed between professional/public and personal	Whole-of-person accountability
Institution-based jurisdiction	Place-based, relationship-based jurisdiction
Claim to authority through statehood, popular electoral mandate, access to and provision of funding	Claim to authority through Country, community, relationships, processes and, outcomes

Source: Adapted from Jumbunna Institute (2020).

Accountability should be defined in partnership and early in the initiative design process

Differences in understandings of accountability mean that there is no one-size-fits-all approach to assigning responsibilities through the design and implementation of initiatives.

Partnerships that have been formed in accordance with the guidance in Chapters 2 and 3 should have a shared understanding of who is responsible for what outcomes and actions. This shared understanding may be documented in a formal partnership agreement, or where agreed, informally defined.

Establishing clear plans for monitoring and evaluating is important so partners can be held accountable for their responsibilities. Poor monitoring practices can lead to disagreement regarding a program's success and damage relationships.

Although models of accountability will differ for each initiative, good practice in accountability is generally characterised by:

- keeping governance partners informed of meaningful decision points
- transparency and information sharing a proactive and continuous approach to tracking and delivering on responsibilities
- balanced discussion, recognising the imbalance of power between government and community.

The rest of this chapter discusses how government can take a proactive approach to ensuring accountability through transparency with community.

Further resources

- [Accountability Frameworks between States and Indigenous peoples – a literature review](#) (Jumbunna Institute, 2020).

Guiding questions – facilitating accountability early in the policy process

- How have you adapted monitoring and reporting practices to accommodate community understandings of accountability?
- Is your initiative responsive to both government and community accountability needs?
- Have you documented a way of ensuring that the partnership is held to a shared understanding of accountability? What monitoring mechanisms are in place to support this?

76 Agencies can consider developing internal guidance on ICIP protocols in partnership with First Nations people.

6.2 Reporting findings

Knowledge translation is an interactive and repetitive process that involves two-way knowledge sharing between initiative designers, or evaluators, and the people that contributed to the production of knowledge.¹⁰⁰

When planning an economic appraisal or evaluation, develop a knowledge translation plan in partnership with community stakeholders. The plan should identify the ways information relevant to appraisal and evaluation will be collected, disseminated, and synthesised.¹⁰¹

Elements to consider as part of the translation plan include:

- Validating or ‘sense-checking’ the findings of initiative appraisals and evaluations with community.
- Ensuring findings are accessible and tailored to those who have made contributions, or those affected by the initiative.¹⁰²
- Options for sharing findings throughout the investment lifecycle (i.e. in addition to final evaluation findings), such as regular interim reporting to stakeholders. Interim updates should also be provided in an accessible way that may differ from the final reporting format.¹⁰³

This process can also assist in identifying who should be involved in report drafting and validation that should occur prior to the publication of reports.

Identify an appropriate range of stakeholders

When developing a knowledge translation plan, it is important to identify a range of stakeholders that may have an interest in the evaluation findings. Example of stakeholders include:

- Aboriginal Community Controlled Organisations (ACCOs)
- community members
- decision-makers
- First Nations Elders and leaders
- First Nations governance bodies including peak representative organisations
- First Nations youth (if applicable)
- general public
- other researchers
- program and policy staff
- governments in other jurisdictions.

Further examples of First Nations stakeholders are provided in Insight 2 (Section 2.3).

100 Laycock et al. 2011., Brinckley et al. 2022.

101 Productivity Commission 2020b.

102 Laycock et al. 2011.

103 Ibid.

Identify ways of presenting information and avenues for communication

Work in partnership with community representatives to identify the most appropriate ways of reporting findings and disseminating information.

As the needs and resources of stakeholders may vary, multiple methods of communication and dissemination may be required.

For example, community representatives may prefer that findings are shared verbally, accompanied by an accessible report (i.e. reports presented in First Nations languages or alternate formats), while government stakeholders may prefer written reports. Table 16 provides examples of ways to report and disseminate information.

Consider opportunities to allow community members with lived experience of the initiative to provide feedback and validate the findings.

Table 16: Ways of reporting and disseminating information

Ways of reporting findings	Ways of disseminating findings
<p>Written</p> <ul style="list-style-type: none"> • Academic journals, newsletters • Articles in local newspapers or First Nations media • Briefs • Community and organisation websites • Discussion papers • Factsheets on project outcomes • Factsheets on research outcomes • Newspapers • Plain language full reports and summaries <p>Verbal/audio</p> <ul style="list-style-type: none"> • In person briefings e.g. one-on-one, or group Yarning circles • Formal and informal presentations • Stories on National Indigenous Television or community radio • Music • Podcasts <p>Visual</p> <ul style="list-style-type: none"> • Art or posters • Documentaries or mini-series • Videos on research findings 	<p>Face-to-face</p> <ul style="list-style-type: none"> • Noticeboards, posters and mail outs • Community meetings and events • Enlist ‘champions’ to deliver message • Presentations, seminars, workshops • Conferences and other professional forums <p>Digital</p> <ul style="list-style-type: none"> • Electronic updates/email alerts • Online repositories • Social media • Mobile phone alerts

Source: Laycock et al. 2011.

Further resources

- [Evaluation Guidelines Workbook VII – Example Evaluation Report Template](#) (NSW Treasury, 2023f)
- [Benefits Realisation Management Framework](#) (NSW Government, 2018b).

Guiding questions – reporting findings

- Who are we accountable to?
 - Who will be interested in the findings of the report?
 - Who do we want to influence?
 - What is the most appropriate and effective way of communicating with them?
- Have you developed a knowledge translation plan to ensure that community can access and validate information in reports and evaluations?
- Is the final report written in a way that is accessible to community members?
- Have the perspectives of community and those affected by the initiative been appropriately considered in reporting findings?
- Are plain English summaries available in written or other formats e.g. visual or audio?
- What other formal and informal forums can findings be shared in?
- How will negative findings from the evaluation be reported and delivered?
- What types of materials will be produced from the project e.g., reports, publications, conference papers, presentations, digital media, community report?
- Has consent been given for the collection, use, storage or reuse of stories, photographs, video recordings and any other type of data in the reports?
- Have community members been consulted on preferred ways of communicating or formats for presenting findings?

104 Muir & Dean 2017.

105 NSW Treasury 2022.

106 NSW Treasury 2023e.

107 Ibid.

108 Australian Productivity Commission 2020b.

6.3 Publishing reports

While there is a growing demand for evidence-based initiatives, there is limited evidence on the efficacy of First Nations programs and services. This is largely due to low rates of evaluation, with even fewer evaluations being published.¹⁰⁴ This limits community access to information, and results in missed opportunities.¹⁰⁵

Publishing report findings can:

- **Contribute to building an evidence base of ‘what works’ to inform effective decision-making.** Increasing the volume of public evaluations supports building a bank of evidence on the outcomes and benefits delivered by initiatives that can support decision-making.
- **Enhance transparency and accountability.** Sharing evaluation findings ensures accountability to First Nations communities, and transparency about resource allocation and community outcomes.
- **Support building evaluation capabilities and improve standards.** Sharing lessons learnt can inform evaluation practices for future initiatives and improve the quality of evidence.¹⁰⁶

Evaluation findings should be transparent and publicly available

Best practice in evaluation is to ensure that processes are transparent and findings from evaluations become publicly available. This involves publishing the full evaluation report on a proponent’s website along with a plain English summary (see Insight 9: Plain English summary of evaluation reports).

NSW Government agencies are mandated to proactively and publicly release the findings of evaluations, unless there is an overriding public interest against disclosure, in line with the *Government Information (Public Access) Act 2009*.¹⁰⁷

The Australian Productivity Commission’s Indigenous Evaluation Strategy recommends that in cases where evaluation reports cannot be made public, due to privacy concerns or cultural sensitivities, the reasons for not publishing should be included in a publicly available summary.¹⁰⁸

Insight 9: Plain English summary of evaluation reports

To ensure evaluation findings are accessible, a plain English summary of the evaluation report should be made publicly available. The plain English summary should include:

- the main findings of the evaluation, accompanied by analysis of these findings and their implications
- method and data used
- details on how First Nations people have been engaged during the design and evaluation processes
- whether formal ethics review was undertaken
- limitations of the evaluation
- peer review process from the inception of the evaluation
- time and cost to complete the evaluation
- how the agency will use or respond to findings.¹⁰⁹

Further resources

- [Evaluation Policy and Guidelines \(TPG22-22\)](#) (NSW Treasury, 2023e)
- [A Guide to Evaluation under the Indigenous Evaluation Strategy](#) (Productivity Commission, 2020b).

Guiding questions – publishing reports

- Will the report be publicly available? How long will it take to become available?
- If you have decided the report should not be published, what measures can be taken so that it can be released?
- Will First Nations people and the community receive a copy of the final report?
- Where will the report be published?
- Will the findings be easily available to the target audience?
 - If publishing in a journal, will the article be accessible for free or on open access journals?
- How will the contributions of First Nations people be recognised and acknowledged in the report? Will there be co-authors to the reports?
- Have concerns about privacy, confidentiality and culturally sensitive information been appropriately considered and addressed?

6.4 Use of evaluation findings

Evaluation findings should inform resource allocation and influence decision-making on both new and existing initiatives. This includes informing decisions on initiative resourcing and design to help determine if it should be maintained, adjusted, or ceased. When designing and planning an evaluation, it is important to establish how evaluation findings will be used, and how the implementation of recommendations will be tracked.

Effective evaluations incorporate qualitative evidence of the experience of First Nations communities under the initiative. This can help to reduce consultation fatigue by formally representing community perspectives in ways that can be accessed by others and reducing the need for further consultations.

Publish a response to ensure transparency and accountability

Proponents should publish an agency or government response to the evaluation findings and recommendations.

The response should be accessible to a range of stakeholders and include:

- an explanation of what was learnt from the evaluation
- what changes were implemented in response to the evaluation findings
- what further actions will be taken and their implementation timeline.¹¹⁰

To ensure management responses are clear and accessible, consider developing a recommendation tracking matrix in partnership with initiative staff and community representatives (see Insight 10).

¹¹⁰ Australian Productivity Commission 2020b.

Insight 10: Recommendation tracking matrix

A recommendation tracking matrix (RTM) is a transparent record that identifies:

- the key recommendations arising from the evaluation
- who is responsible for developing a response and actioning recommendations
- the actions to be taken in response to the recommendations.

The RTM should be publicly shared where feasible or made accessible to First Nations end users and community representatives. Additionally, updates on listed actions arising from the recommendations should be made to reflect the progress against management's response and commitments.¹¹¹ An example of an RTM can be seen in Table 17.

Table 17: Example of an RTM

Recommendation	Management response and reasoning	Actions planned and timelines	Responsible team	Actions taken
1.	Accept			
2.	Partially accept			
3.	Reject			

Source: Better Evaluation (2022)

Guiding questions – use of evaluation findings

- What key processes should evaluation findings inform e.g. initiative operation or re-design?
 - What additional First Nations initiatives can benefit from the evaluation insights? Can findings be used to reduce consultation burden on future initiatives?
- At what stage of the initiative's lifecycle should evaluation findings be made available to:
 - First Nations representatives, evaluation participants or community members?
 - Decision-makers?
 - How can findings from the evaluation inform new and innovative initiatives including small pilot initiatives?
- How will management track and measure responses to recommendations made in the evaluation?
 - How will management responses to the findings of the evaluation be disseminated?
- How will findings inform capability development within teams, across organisations and other areas? How will findings inform practice and other practitioners?

¹¹¹ Better Evaluation 2022.

Appendix A – Cost-benefit analysis

Cost-benefit analysis (CBA) is the NSW Government's preferred method for assessing the relative merit of proposed initiatives, including policies, programs, regulatory changes and infrastructure projects.

CBA is a form of economic analysis and offers a structure for assessing initiatives in terms of their capacity to improve welfare, compared to the required investment, or resource cost. This determines the net impact on society's welfare. CBA is an important component of business cases seeking funding through the budget process.

Government initiatives focused on improving outcomes for First Nations people and communities have, however, rarely been assessed using CBA.¹¹² This means that the impact and value of First Nations cultures is yet to be consistently represented in the economic evidence provided to government when making funding decisions. This can lead to inaccurate representations of value for money and sub-optimal design where culture is not included in the scope of an initiative or its inclusion is tokenistic.

Culture can be captured in CBA results in two main ways:

1. Identifying culture as an **input** that supports the delivery of broader outcomes.
2. Identifying specific cultural **outcomes** delivered by an initiative.

This technical appendix provides guidance to address some of the challenges associated with the approaches that have been identified in Treasury research.¹¹³

Opportunity

By understanding and capturing the values, rights, interests and cultures of First Nations people in CBA, resources can be better allocated to initiatives that deliver the greatest benefit to communities.

¹¹² NSW Treasury 2024.

¹¹³ Ibid.

1. Introduction

This technical appendix demonstrates how to apply the broader guidance in the First Nations Investment Framework (the Framework) to CBA. It provides:

- supplementary guidance to the ‘NSW Government Guide to Cost-Benefit Analysis TPG23-08’ (TPG23-08) that is relevant for First Nations initiatives and valuing First Nations culture in CBA
- a framework to identify and assess benefits where culture is an input to an initiative
- examples of methods for quantifying cultural benefits in CBA.

This appendix does not provide a monetary value for culture, cultural benefit parameters, or other specific parameters for inclusion in CBA.

Applying this guidance requires an understanding of the prior chapters of the Framework and relevant existing NSW Government guidance, summarised in Table A1.

The guidance emphasises the importance of working in genuine partnership with First Nations people and communities from the initial steps of CBA, including defining the problem or opportunity and identifying appropriate options. This is critical to ensuring that the rights, interests and aspirations of First Nations communities are captured in initiative design and evaluation.

Table A1. Checklist of required knowledge before commencing CBA for a First Nations initiative.

Resource	Description
✓ The First Nations Investment Framework	The Framework is pre-requisite knowledge for completing a CBA for a First Nations initiative. Most of the guidance should be put into practice before proceeding with CBA (Chapter 2 to 4), while some chapters are more applicable during the CBA process (Chapter 5 and 6). Figure A1 demonstrates links between each chapter of the Framework and step of CBA.
✓ NSW Government Guide to Cost-Benefit Analysis (TPG23-08), NSW Treasury (2023)	This is the core guidance for CBA for NSW government initiatives. It sets out the mandatory requirements and technical information relevant to each step in CBA.
✓ ‘Valuing First Nations cultures in cost-benefit analysis’ research paper, Treasury (2024)	The research paper sets the context for this technical appendix. The paper identifies the two ways in which culture can be valued in CBA and provides examples of the application of each approach and presents the associated challenges.

2. Preparing for a cost-benefit analysis (CBA)

Figure A1 maps the elements of the First Nations Investment Framework to the steps of CBA.

The first three steps of the Framework (Chapter 2: Foundations for genuine relationships, Chapter 3: Partnership for shared decision-making and Chapter 4: Community-led design) are pre-requisite knowledge for completing a CBA.

Allow sufficient time and resourcing to understand and apply this guidance to prepare for CBA.

Build foundations that allow for trust and genuine partnerships

Establishing the foundations for trust and building relationships is necessary to undertake CBA for First Nations initiatives. This includes allowing time and resources for building relationships from the early planning stages, understanding consent as one of many mechanisms for self-determination, and listening to the challenges or opportunities that the proposed initiative will address.

Cultural safety is also important in the context of CBA. This includes acknowledgement of possible cultural sensitivities of valuing community benefits and working in partnership with First Nations stakeholders to ensure methods for economic assessment, or evaluation, are consensual and appropriate.

Establish partnerships and governance arrangements

Partnerships and governance arrangements should be embedded before beginning CBA.

These relationships will help shape Step 1, and Step 2 (Figure A1), of CBA.

Ensure that partners and other stakeholders have capacity to be involved and understand what additional resources they may require to actively contribute. This includes providing sufficient notice, time and options for working together, such as planning face-to-face sessions. Allowing insufficient time and effort for partnerships can damage trust and relationships.

Determine the need for procuring third parties

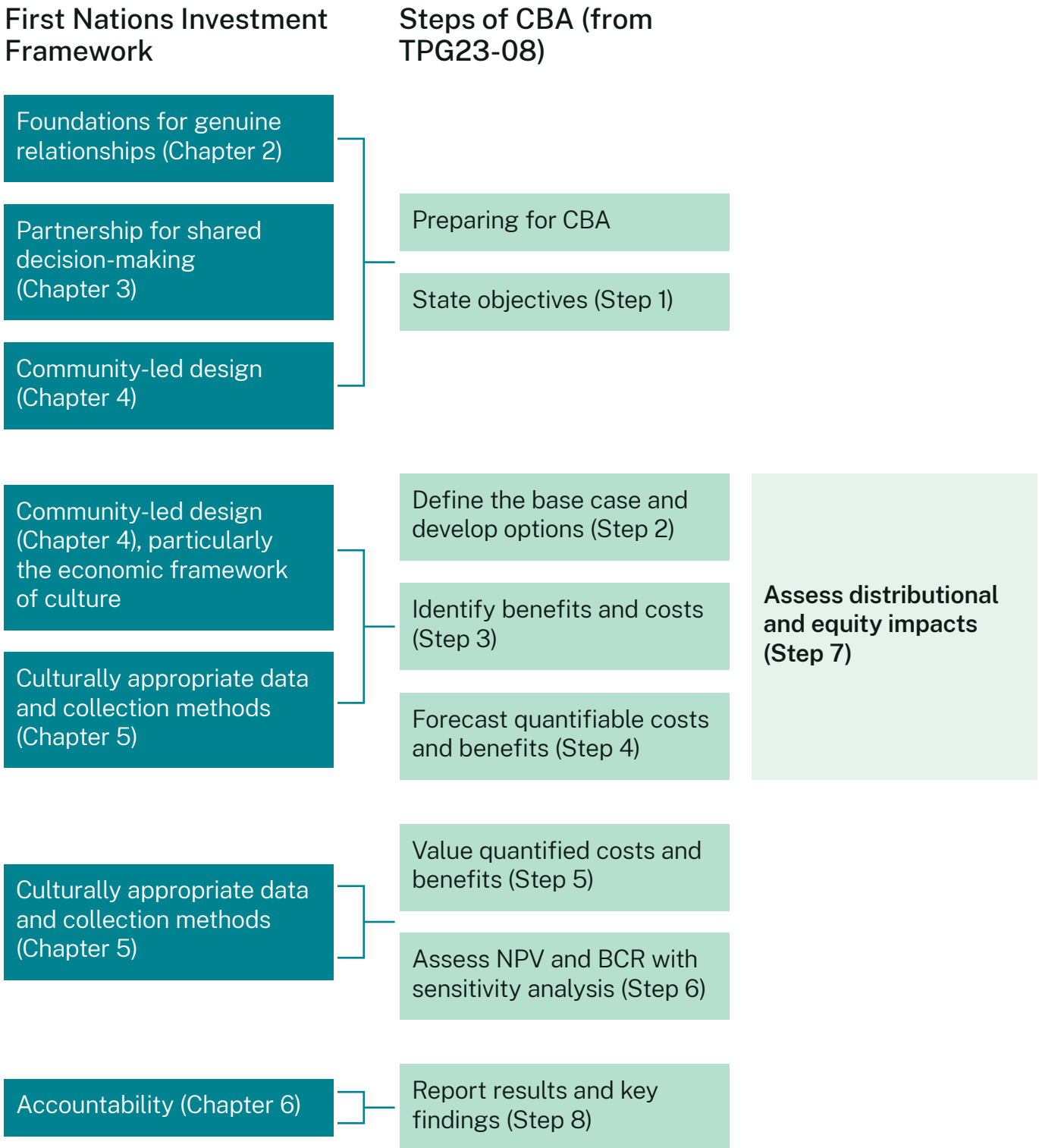
There may be instances where proponents will seek to commission consultants to support or undertake CBA. Consider the reasons why this is necessary and what capacity constraints consultants can help to overcome to ensure the right skills are procured for the initiative.

In many cases, proponents will be best placed to directly identify the case for change and work with First Nations partners to scope options, before commencing the appraisal of options using CBA.

Be clear with consultants on what aspects of the project they are required to focus on, such as community engagement, collecting data, forecasting, and valuation. For example, when outsourcing CBA, it may be useful to specify that consultants should apply the economic framework of culture (introduced in Section 4.2 and applied in Section A.1.2.2, worked example 2) to guide identification and measurement of benefits.

Refer to Section 3.5 for further guidance on considerations during the procurement process.

Figure A1: Links between the First Nations Investment Framework and the steps of CBA



Logic model and identification of outcomes

A case for change and associated logic model, which outlines the expected short-, medium- and long-term outcomes of an initiative, should be completed before CBA. This should include detail on the indicators and data collection that will guide monitoring and evaluation.

As discussed in Chapter 4, these components should be defined by First Nations communities and seek to measure genuine impacts on the community. These components will inform Step 1 to 4 (Figure A1) of CBA.

3. Steps in cost-benefit analysis for First Nations initiatives

This section outlines guidance for good practice when conducting CBA for First Nations initiatives. Specific guidance is provided for each relevant step of CBA that is outlined in the [NSW Government Guide to Cost-Benefit Analysis \(TPG23-08\)](#).

Worked examples are included throughout this appendix to illustrate how this guidance should apply. The hypothetical initiative used in the worked examples centres on empowering First Nations communities to engage in sustainable land management practices, with a focus on increasing cultural burning.

1.1. Revisit the case for change and state objectives

The first step of CBA is to identify objectives of the initiative. These objectives will be based on the case for change. The case for change considers 'why' the initiative is required and is the first step in the development of a business case. The case for change is central to the second step of CBA, defining the base case.

Set clear objectives as these will inform the entire CBA process. Revisit Chapter 4 (Community-led design), including the logic model, and ensure the case for change and outcomes have been clearly defined before proceeding.

Objectives should align with NSW Government priorities, including Closing the Gap priorities, and the aspirations and priorities of impacted First Nations communities.

1.2. Define the base case and develop options

The second step of CBA is to identify the base case and develop a range of options to achieve the stated objectives.

1.2.1. Defining the base case

The base case represents the outcomes under a 'status quo' or 'do minimum' investment scenario. This sets the benchmark against which all options are compared.

The base case is informed by the case for change and should accurately reflect current outcomes or experiences of First Nations communities, such as the availability of culturally safe services, including health care, education, business support or housing service providers. The base case should also reflect First Nations legal rights and interests, such as First Nations property rights (see Study A1: Recognising First Nations legal rights and interests in base case and project case).

In the base case, avoid making assumptions that could misrepresent local outcomes for First Nations communities. For example, basing assumptions on averages in national or state-level data that do not align with local outcomes in a local context.

Worked example 1 outlines considerations for defining the base case for a hypothetical initiative to support First Nations communities in carrying out traditional land management practices, such as cultural burning.

Guiding questions – case for change and objectives

- Has the case for change been defined by First Nations communities?
- Have First Nations communities shaped the objectives of the initiative?
- Are the objectives aligned with NSW Government priorities, including Closing the Gap Priority Reform targets and socio-economic outcomes?

Study A1: Recognising First Nations legal rights and interests in the base case and project case

First Nations legal rights and interests, including property rights, should be identified in the base case to accurately identify impacts of proposed options (project case), rather than using assumptions.

First Nations legal rights and interests could include:

- current or potential future claims over land
- land held with freehold title or subject to Native Title
- water rights (freshwater and saltwater)
- cultural heritage, including existing assets or sites with cultural or spiritual significance.

Native Title can include exclusive and non-exclusive rights. Non-exclusive Native Title rights can exist alongside other non-Indigenous property rights and may include the right to perform certain activities such as right to camp, hunt, fish, protect cultural sites and perform ceremony.¹¹⁴ Some initiatives may interfere with these non-exclusive rights, such as in the example of the Juukan Gorge destruction outlined below.¹¹⁵

Addressing First Nations property rights could be a primary objective of an initiative, such as improving land claims processing or land access for cultural and economic development purposes (e.g. cultural fishing, or cultural tourism). Alternatively, First Nations property rights could be included in the base case because of other initiatives, such as infrastructure and environment initiatives.

If not considered explicitly in the base case, these rights and interests could be overlooked and increase the risk of the initiative leading to unintended consequences, such as damage to sacred sites or limiting economic development of First Nations communities. This may also lead to increased liabilities for government, such as the need to compensate for losses, especially where Native Title has been extinguished.

Examples of where First Nations rights and interests were not recognised, or taken account of, in the base case include the destruction of the Juukan Gorge in Western Australia by Rio Tinto to build a mine, and the destruction of a 350-year-old sacred Djab Wurrung Directions Tree to build a highway in Victoria.¹¹⁶

‘... rather than Rio Tinto deciding on its preferred option and then consulting Traditional Owners, co-management means we consult on all viable options, and then find the optimal approach that meets both sides’ needs.’

Rio Tinto, ‘Juukan Gorge: Learning from the past, to find better ways’.¹¹⁷

¹¹⁴ Cawthorn 2020.

¹¹⁵ Australian National University 2022.

¹¹⁶ ANTAR 2023., Malins et al. 2020.

¹¹⁷ Rio Tinto 2023.

Worked example 1: First Nations land management – defining the base case

There are several factors in the base case that can affect the costs, benefits and outcomes of cultural burning initiatives developed in the 'project case'. Examples are outlined in Table A2.

Table A2: Considerations for defining the base case.

Considerations for the base case	
Current activities	<ul style="list-style-type: none"> Determine if cultural burning would likely occur without the initiative. If so, at least some of the benefits attributed to the initiative might already exist in the base case.
Current barriers to cultural burning	<ul style="list-style-type: none"> Limited resources and funding for cultural burning practices. Lack of widespread knowledge of cultural burning among non-Indigenous landholders and government agencies, or lack of clear guidelines, or incentives for incorporating cultural burning into existing land management strategies. Legislative barriers such as land management policies, regulations, and insurance restrictions.
Land rights	<ul style="list-style-type: none"> Land rights can inhibit cultural burning if Traditional Owners do not have a legal right to burn on Country. Different types of land tenure can affect regulations regarding insurance for certain burning practices.
Employment and other economic considerations	<ul style="list-style-type: none"> Consideration of unemployment and participation rates among First Nations communities, potentially due to limited alternative opportunities in the local area (land management roles or otherwise). Costs associated with bushfire management in the base case, including rehabilitation of fire-affected areas and potential loss of property and livelihoods. Limitations on the ability to undertake economic opportunities directly linked to traditional land management practices such as cultural tourism.
Environmental impacts	<ul style="list-style-type: none"> Current modelled rate of bushfire risk and projected loss of biodiversity using business as usual practices.
Community wellbeing	<ul style="list-style-type: none"> The base case might represent missed opportunities for community engagement, role modelling for youth, skill development, and cultural revitalisation. Mental and emotional wellbeing impacts due to reduced connection to Country and cultural identity.

Guiding questions – problem definition and base case

- What does current land access or ownership look like? Are there any barriers preventing First Nations people from exercising their rights on this land? Are there any current or pending Native Title or Aboriginal Land Rights claims?
- Are there any impediments to economic development and self-determination of First Nations communities in relation to current property rights or regulation?
- What is the role of culture in the base case? What are the limitations to the benefits of culture being realised?

1.2.2. Developing options

Once the base case has been defined, a range of options should be developed in partnership with First Nations communities.

Develop a range of realistic and feasible options that can deliver on the objectives outlined in step 1. This should include consideration of non-build, regulatory and minimum viable product options.¹¹⁸ Narrow down a range of options to a shortlist, assessing at least two shortlisted options in CBA, in addition to the base case.

Culture as an input – the economic framework of culture

Options that are informed by the aspirations and priorities of First Nations communities will likely be culturally informed. That is, the options draw on First Nations culture as an input to the initiative.

Culturally informed options might reflect:

- Services delivered by a community-controlled organisation.
- Initiatives that draw on First Nations cultural domains (see Section 4.2, Step 1).
- Service delivery that is trauma-informed.

- Initiatives that adopt a place-based lens, accounting for variations in local contexts and priorities. This could include pilot options in discrete communities that are informed by the unique needs of the community.
- Initiatives that support First Nations peoples' property rights and interests, such as improving access to water for cultural fishing or ceremony.

The **economic framework of culture**, as detailed in Section 4.2, provides a structure to:

- improve understanding of the problem or opportunity
- develop culturally informed options
- identify the contribution of culture to outcomes of the respective options (which subsequently informs step 3 of CBA: Identify and describe all costs and benefits).

Worked example 2 applies this framework to hypothetical First Nations land management options.

Guiding questions – developing options

- Has the economic framework been applied to understand the role of culture in the base case, the options development stage and the proposed project case?
- Has community been involved in developing culturally informed options in the process of shortlisting options for CBA?
- If the project case involves land acquisitions or infrastructure development, could there be a risk that these options have a negative impact on cultural outcomes?
- Could the project case have any unintended consequences on outcomes for First Nations people?

¹¹⁸ See TPG23-08 NSW Government Guide to Cost-Benefit Analysis, pg. 19–20, for examples of the types of options to consider.

Worked example 2: First Nations land management – developing options

For simplicity, consider two options (in addition to the base case). Option 1 could represent an initiative that supports self-determined engagement of First Nations communities in land management, such as investment in community-controlled organisations to run land management projects.

Option 2 could represent creating new positions for First Nations people within government land management agencies to carry out current scope of work.

Option 1 demonstrates the most self-determined approach with the highest level of cultural inputs, allowing for greater influence over cultural practices and knowledge sharing. Option 2 retains elements of cultural inputs but may offer less control over activities and alignment with traditional knowledge.

Cultural inputs: traditional knowledge, connection to Country, self-determination



Effects through which culture improves outcomes

Effects	Option 1	Option 2
Improved generation and use of information	First Nations people hold valuable knowledge of land management, including the impact of burning practices on specific locations. Enabling First Nations people to learn from Traditional Owners and Elders and share this knowledge can enhance connection to Country, biodiversity, sustainability, and employment outcomes. This includes sharing of languages and names of flora, fauna and Country.	First Nations individuals bring valuable cultural knowledge to land management practices, which can enhance biodiversity and sustainability outcomes.
More efficient and appropriate matching	First Nations people are matched with roles where they can apply and transfer their cultural burning knowledge, fostering effective land management practices and on-Country employment. Traditional Owners play a central role in directing cultural burning activities, leading to effective land management.	Depending on job location, Option 2 may still match First Nations people with jobs, which may, or may not, be on local Country. This can affect the level of cultural connection and knowledge and impact on land management practices.
Healing from trauma	Engagement in cultural land management activities fosters cultural identity, community belonging, physical activity, and overall wellbeing, contributing to improved mental and physical health outcomes.	While not as directly impactful on cultural identity and community belonging as Option 1, working on Country can still contribute positively to participants' physical and mental health.
Building social capital and relationships marked by trust, mutual benefit and reciprocity	Participants strengthen relationships within their community, such as with Elders who pass on cultural knowledge, and with other land management entities, fostering trust, mutual benefit and cooperation for effective land management.	Working alongside other First Nations people and land management agencies can foster trust, cooperation and knowledge-sharing.
Improved coordination, governance and self-determination	Empowering First Nations people to lead cultural burning practices enhances cultural expression, governance and self-determination, potentially influencing fire management regulation to recognise First Nations knowledge.	While there may be less direct influence on governance and self-determination compared to Option 1, collaboration with First Nations employees could still contribute to better coordination and cultural recognition in land management practices.

1.3. Identify and describe all costs and benefits

This step involves identifying benefits based on the differences in outcomes between the base case and project case and highlighting the resource costs required to achieve these benefits.

The [NSW Government Guide to Cost-Benefit Analysis \(TPG23-08\)](#) provides a comprehensive overview of the nature of costs and benefits, including common categories.

There are two 'streams' of benefits where the contribution of culture can be incorporated in CBA:

1. Benefits that arise from broader outcomes (such as economic, social and environmental)
2. Benefits that arise from specific cultural outcomes.

Worked example 3 highlights benefits from these two streams for the hypothetical First Nations land management initiative.

Where culture is linked with improved outcomes and associated benefits, ensure to reference the supporting evidence, such as relevant outcome evaluations or research papers.

Identify if there are possible disbenefits

CBA should identify the full range of impacts, including both positive and negative. Negative impacts are called 'disbenefits' and reflect both direct and indirect impacts to the referent group, measured in monetary terms (dollars).

In a benefit-cost ratio (BCR), the numerator should represent the net benefits, that is the monetary value of the 'benefits' less the value of the 'disbenefits'. This is then divided by the resource costs.¹¹⁹

Misinformation, insufficient evidence, false assumptions or failure to work in genuine partnership can result in poorly designed initiatives and lead to disbenefits for certain cohorts. First Nations people could experience disbenefits where there is:

- Compulsory acquisition of land where there is significant cultural loss.¹²⁰
- Violations of First Nations peoples' property rights or infrastructure development on sacred sites (see Study A1: Recognising First Nations legal rights and interests in base case and project case).
- Loss of connection to Country, kin and culture due to relocation for work or education.
- Services that are not culturally informed, such as a health service where First Nations people do not feel comfortable seeking care.

Identifying distributional impacts

Benefits and disbenefits may be realised differently for subgroups within a larger referent group and these should be reported as part of the distributional and equity analysis (step 7). The impacts to subgroups are aggregated into broader benefit and cost categories and included in the overall CBA results.

CBA should include costs and benefits to the NSW community (the referent group), but often First Nations targeted initiatives may only directly impact a specific community or group of communities. In this case, CBA should show results for alternative referent groups separately from impacts on NSW.

119 When calculating the BCR for CBA results, the 'cost' denominator should reflect only the capital and operating costs of an initiative that are incurred by NSW entities. All negative externalities and 'costs' to referent groups are considered as disbenefits.

See Box A7.1 in TPG23-08 NSW Government Guide to Cost-Benefit Analysis (pg. 98).

120 See Valuer General (2024) for examples of the forms of cultural loss that could arise from compulsory land acquisitions.

Worked example 3: First Nations land management – identify costs and benefits

When analysing the costs and benefits of this initiative, consider the broader outcomes and cultural outcomes identified by First Nations communities.

Table A3 outlines possible benefits that could be realised from each hypothetical option. While benefits in each option may be similar, their scales and magnitudes will likely vary based on the contribution of culture to each option.

Table A3: Examples of benefits arising from broader outcomes and cultural outcomes, and possible costs¹²¹

Possible benefits identified	
Benefits arising from broader outcomes	<ul style="list-style-type: none"> • Increase in lifetime earnings: labour surplus from employment opportunities. • Additional income generation: increased access to and use of land. • Health improvements: reduced probabilities of developing chronic diseases and experiencing poor mental health. • Avoided costs: of primary health care, justice system expenses, welfare expenses, loss of life etc. as well as plant and animal loss during wildfires, and weed infestations. • Environmental benefits: carbon storage and sequestration, along with reduced bushfire risk and response costs.
Benefits arising from cultural outcomes	<ul style="list-style-type: none"> • Cultural connection: strengthened connection to Country, fulfilment of cultural obligations to Country, sense of belonging, pride in identity and empowerment. • Traditional practices: protection and revitalisation of cultural practices, use of language, sourcing of traditional foods and medicines. • Community wellbeing: role modelling, community belonging, improved physical and mental wellbeing.
Costs	<ul style="list-style-type: none"> • Capital costs: capital costs of new assets or asset replacements, such as office space, storage, equipment etc. • Recurrent costs: labour costs (recruitment, training and ongoing labour costs), operating and maintenance costs (grant funding, rental equipment and materials). • Regulatory costs: compliance with regulations, permits, or costs to overcome regulatory barriers. • Monitoring and evaluation costs: investments in monitoring and evaluating the effectiveness of the initiative. • Consultation costs: engaging with First Nations stakeholders to design culturally informed and effective initiatives.

Note that benefits arising from cultural outcomes are likely to overlap with benefits from broader outcomes. For example, employment opportunities generated from this initiative can improve both connection to Country and economic outcomes, both of which can lead to improved wellbeing and community resilience.

Where it is difficult to isolate the attribution of a specific benefit to separate outcomes, estimating an aggregate benefit value across the relevant outcomes is sufficient. Take care when applying this approach to avoid double counting. Worked example 5 discusses this further.

¹²¹ The benefits listed in Table A3 are based on work commissioned by NSW Treasury that included consultation with First Nations cultural burning practitioners, community-controlled organisations and land management agencies, as well as references: Campbell et al. 2011; Central Land Council 2021; Coyne et al. 2022; Cristescu et al. 2023; and Rodger and Smith 2022.

Guiding questions – identifying benefits and disbenefits

- Is there evidence to support the link between the identified benefits and cultural inputs?
- What is the quality of evidence establishing this link?
- Have benefits and disbenefits been identified for distinct subgroups within the broader referent group (to inform the distributional analysis)?

1.4. Forecast all quantifiable costs and benefits

This step involves forecasting the **volume or quantity** of outcomes attributable to the initiative, relative to the base case. [The NSW Government Guide to Cost-Benefit Analysis \(TPG23-08\)](#) provides guidance on forecasting costs and benefits.¹²² CBA should apply best attempt forecasting, using the best available data and methods to project impacts. Be transparent about data and assumptions used.

For targeted initiatives focusing on specific First Nations communities, aim for disaggregated forecasts of costs and benefits where data permits. This also applies to broader statewide initiatives and is required for distributional analysis (see Section 1.7). Adopting a bottom-up or disaggregated approach can ensure the diversity of First Nations communities are accurately represented, rather than relying on state- or national-level averages.

Contribution of culture to benefits

While adhering to standard forecasting approaches (outlined in [NSW Government Guide to Cost-Benefit Analysis – TPG23-08](#)), focus on analysing the ‘effect size’ of culture on benefits. The magnitude and distribution of benefits may vary among options and the base case.

Data sources, qualitative and quantitative measures, and expert opinions from community Elders or representatives, can support forecasts. Chapter 5 discusses appropriate measures, including insights from studies like the Mayi Kuwayu Study and the Longitudinal Study of Indigenous Children, to forecast outcomes and benefits. Worked example 4 outlines possible forecasting approaches for the hypothetical First Nations land management initiative.

Forecasting of cultural outcomes (for example, changes in community engagement or connection to culture), poses challenges due to the absence of defined units of measurement. In such cases – if feasible and if resources permit – non-market valuation techniques may be applied. Section A1.5.2 includes studies applying non-market valuation techniques for benefits accruing to First Nations people and their respective forecasting approaches.

Not all benefits may be quantifiable, but it is important to explain why certain benefits were deemed unquantifiable and support qualitative benefits with evidence-based narratives.

Ensure that significant benefits and costs are appropriately considered, including their likely direction and magnitude. This may involve presenting qualitative benefits alongside the quantified CBA results in the key findings (see Section A1.8).

Analysis period and timing of benefits

The analysis period in a CBA defines the timeframe from the start to the end of the assessment and should be sufficiently long to capture all significant costs and benefits. Understand the timing of benefits being realised and their expected growth during this period.

In certain cases, benefits may take longer to materialise, especially when initiatives require consultation, learning, training, and sharing of cultural knowledge. For instance, investments in the community-controlled sector, or initiatives focused on preserving cultural heritage, may yield benefits that take time to realise.

The selection of the analysis period should align with the goal of demonstrating the realisation of significant benefits over the long term. Figure A2 in worked example 5 provides an illustration of how benefits unfold over time for the hypothetical land management initiative.

¹²² Refer to TPG23-08 NSW Government Guide to Cost-Benefit Analysis Section 2.4 and Appendix 1 for information on forecasting.

Worked example 4: First Nations land management – forecasting costs and benefits

Forecasting methods are most effective when developed in collaboration with First Nations community representatives and organisations.

Outcomes, benefits and costs of cultural burning can vary significantly between locations. Inputs to quantification methods should therefore be location-specific and informed by local knowledge or expertise.

Case studies, scientific research and evaluations can provide evidence to the range of benefits of cultural burning and their magnitude. Some of this evidence is referenced in Table A4 for forecasting the benefits of cultural burning.

Table A4: Example forecasting approaches for benefits of cultural burning.

Benefit	Example forecasting approach
Labour surplus and human capital	Estimate transitions to higher-value activities, i.e. moving from unemployment to employment.
Avoided costs of health care	Estimate net change in avoided health system costs due to improved health outcomes. For example, Campbell et al. (2011) estimated the reduced probabilities of chronic disease from participation in land management and the associated health cost savings. An evaluation of the Central Land Council (2021) Ranger Program was conducted as part of the development phase of Mayi Kuwayu to assess the health and wellbeing impacts of participating in traditional land management activities. Health benefits could also be determined by valuing the gain in quality-adjusted life years (QALYs).
Avoided cost of plant and animal loss	Estimate net changes in populations of specific flora and fauna species. For example, Cristescu et al. (2023) researched the impacts of cultural burning on koala populations, and McKemey et al. (2020) found that cultural burning had less impact than wildfire on Backwater grevillea, a threatened plant species.
Avoided cost of built environment loss	Estimate net changes in replacement costs for infrastructure and buildings due to reduced bushfire risk.
Additional income generation	Determine net changes in producer and consumer surplus generated by new or expanded cultural goods and services, such as cultural tourism and education programs from greater access to and use of land.
Qualitative benefits	Identify the likely direction and magnitude of qualitative impacts, such as strengthened cultural connection, community empowerment and increased pride in identity. This could be determined through consultation, surveys or interviews. For example, the Central Land Council (2021) evaluation found that rangers ranked the social and communal benefits higher than financial and economic benefits. This is important to portray especially if these benefits are not quantified.

When estimating net changes, consider the timing of changes being realised, their expected growth and how this will affect results based on the analysis period. Culturally informed initiatives often require time for community engagement, knowledge transfer and capacity building. For example, benefits in Option 1 may take longer to materialise than those in Option 2 due to the time required to train new employees and share knowledge of cultural burning. The benefits from Option 1 will likely be greater in the medium- to long-term due to deeper integration of cultural practices and better community empowerment. See worked example 5 for an illustration of the realisation of benefits over time.

Guiding questions – forecasting costs and benefits

- Are the data and assumptions used to forecast costs and benefits acceptable to the community?
- Do the forecasts align with examples of the experiences of First Nations people and local communities? In other words, do they seem plausible?
- Have you considered how the initiative will affect the size/magnitude of qualitative benefits? Is there a clear evidence-based justification supporting this conclusion?

1.5. Value quantified costs and benefits

This step of CBA involves expressing the forecast benefits in monetary terms. This is necessary to determine an aggregate value of net benefits and compare this with the estimated cost of the initiative.

As outlined in step 3, where culture is an input to an initiative, benefits can arise from broader economic, social and environmental outcomes, and specific cultural outcomes. This section distinguishes between the two benefit ‘streams’ where culture is an input.

1.5.1. Valuing broader benefits

Valuing benefits from broader outcomes (economic, social and environmental) can help to articulate the ‘value’ of First Nations culture in improving outcomes, as opposed to attempting to put a dollar value on First Nations culture. This approach represents linking a difficult-to-value outcome to an outcome that can be valued.¹²³

The forecast benefits and costs should be assigned monetary values, using market prices or non-market valuation methods where appropriate. Adding up the various benefits and disbenefits provides an estimate of the aggregate net benefits. The value of First Nations cultures can be represented by the difference in aggregated net benefits between the project case and the base case (or other options with varying levels of cultural inputs). Figure A2 illustrates the benefits of two options over time, where the incremental benefits between Option 1 and 2 can be attributed to better design and greater use of cultural inputs.

¹²³ See TPG23-08 NSW Government Guide to Cost-Benefit Analysis, pg. 33, for approaches to valuing outcomes that do not have clear market prices.

Worked example 5: First Nations land management – valuing costs and benefits

The incremental changes forecast in worked example 4 are assigned monetary values. A range of valuation techniques can be applied to assign values to individual benefits and costs for participants, the local community, and the broader NSW community.

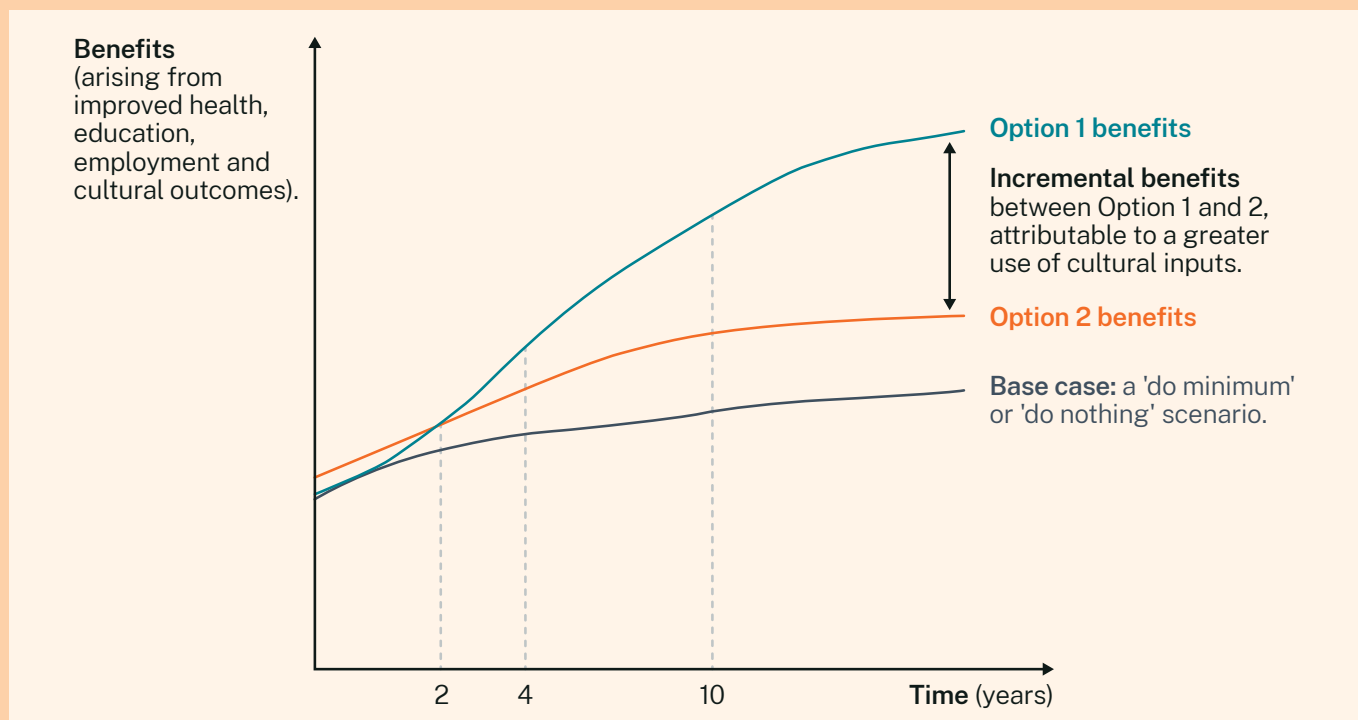
The studies outlined below provide examples of how benefits of First Nations land management initiatives have been valued:

- Campbell et al. (2011) adopted an avoided cost approach to value the health benefits of participation in land management. The study found that ‘caring for Country’ activities were linked to reduced probabilities of hypertension, diabetes and renal disease. The projected net present value (NPV) in primary healthcare cost savings for the study population over 25 years amounted to \$4.08 million (in 2008 dollars).

- Coyne et al. (2022) explored the value of ecosystem services provided by the Warddeken Indigenous Protected Area (IPA) managed by First Nations people in northern Australia. This IPA is recognised for its diverse ecosystems, cultural significance and contributions to wellbeing through employment, cultural events and land management. The estimated value of ecosystem services from the IPA is \$32.6 million per year, comprising non-market values such as climate and water regulation, and market values such as greenhouse gas emission abatement.

Figure A2 illustrates the realisation of benefits over time for Option 1 and 2, compared to the base case. While Option 2 incorporates some cultural elements, Option 1 is the more culturally informed approach, enabling self-determination and greater use of cultural knowledge. The incremental benefits between Option 1 and 2 can be attributed to this. When valuing benefits and comparing options, consider the analysis period and information on the realisation of benefits over time. If the analysis period is limited to 2 or 4 years, Option 2 may seem preferable due to short-term gains. A longer analysis period would, however, indicate Option 1 as the preferred choice, considering its alignment with broader community objectives and sustainable outcomes.

Figure A2: Illustration of the contribution of culture to forecast benefits



As discussed in worked example 3, benefits can overlap across multiple outcomes, especially when culture is an input and influences a range of things. In such cases, value the observed (or expected) net change attributed to the initiative as an ‘aggregate’ benefit that covers all related outcomes. Take care to

avoid double counting where the value obtained for one benefit is reflected in the valuation of another benefit. For example, if valuing health benefits and using both QALY and avoided cost methods, check the QALY figure does not already incorporate avoided health system costs.

1.5.2. Valuing specific cultural benefits

Valuing specific cultural benefits presents unique challenges due to their intangible and non-market nature, as well their intrinsic and relational value to First Nations people. Treasury research has outlined the limitations and sensitivities in assessing these benefits.¹²⁴ While it is possible to value these outcomes using non-market valuation methods, it is crucial to apply these methods in a culturally appropriate manner.

This section discusses considerations for culturally sensitive non-market valuation approaches, including survey design, non-monetary payment vehicles and benefit transfer. It emphasises the importance of ensuring the values applied in CBA are representative of local First Nations communities. As research and evidence on the valuation of First Nations cultural benefits evolves, this section focuses on key considerations rather than specific guidance on valuation methods.

Considerations for culturally sensitive non-market valuation approaches

Non-market valuation methods, such as contingent valuation or choice modelling, are useful tools for valuing cultural and other non-market benefits. It is, however, important to note that these methods, primarily based on a utilitarian framework, may not always align with First Nations culture. For example, a contingent valuation survey that asks First Nations people to assign a monetary value to aspects of their culture could be insensitive and unrealistic. The same sensitivity applies to choice survey exercises that ask respondents to make trade-offs in different scenarios.

When including values for cultural benefits, assess the appropriateness of the chosen method in the specific context. Consider whether it can accurately capture the value of cultural benefits or if adjustments need to be made. For example, consider the concept of willingness to pay (WTP), which is income contingent, and the possible alternative uses of that income. Where respondents have low incomes, WTP estimates may be artificially depressed. Therefore, adjustments to the methods or WTP estimates may be required, such as adjusting to reflect average income, or using a non-monetary payment vehicle.

Survey design

Surveys used in choice modelling, or contingent valuation exercises, require careful design to obtain robust estimates. Surveys should be designed and conducted in a way that respects First Nations cultures. Surveys that ask respondents to express aspects of their culture in monetary terms without community agreement can be culturally insensitive and lead to 'protest responses'. These can include intentionally misleading responses or refusals to answer.¹²⁵

Stated preference methods typically aim to establish WTP values based on individual preferences. Surveying respondents in groups, could be more appropriate and yield more accurate results for First Nations communities. Group settings can simulate Yarning circles and acknowledge the importance of community decision-making, values and preferences, allowing for discussions and consensus-building on different choice sets or scenarios. See, for example, Nikolakis et al. (2016) and McDaniels and Trousdale (2005) for studies where group settings were demonstrated to be beneficial. Note these studies were conducted with First Nations peoples of Canada.

124 NSW Treasury 2024.

125 Valuer General 2022.

Non-monetary payment vehicles

Stated preference surveys often seek WTP values using payment vehicles that represent what amount of money respondents are willing to give up (or accept) in exchange for an outcome. Non-monetary payment vehicles, such as time contributions or travel distance measures, are common alternatives. These alternatives, discussed below, can help identify values and preferences in a more culturally sensitive way, considering the socioeconomic context and preferences of different sample populations.

- **Time contributions:** respondents may be willing to give up their labour or leisure time to volunteer to help achieve an outcome. Estimating the opportunity cost of time based on wage rates and reservation wages, such as some fraction of the wage rate, as well as shadow wage or hedonic wage models, is a common approach. Consider the effect of unemployment, or underemployment, on the opportunity cost of time.¹²⁶ See O' Garra (2009) and Rai and Scarborough (2012) for non-market valuation studies using time contributions.
- **Travel distance/cost:** asking, or observing, how far individuals are willing to travel to a cultural site. The opportunity cost of time (based on fractions of wage rates or reservation wages) and direct travel costs can provide a measure of the value people place on visiting a site. Note that more distant sites may have more or less connection for different cultural groups. See Coyne, Williams and Sangha (2022) and Haener et al. (2001) for applications of travel distance preferences and travel cost measures.

Benefit transfer

Benefit transfer has limitations in valuing cultural benefits due to the scarcity of valid and relevant studies specific to First Nations communities in Australia. The application of values from one context to another assumes uniformity in values and aspirations, which may not hold true. In benefit transfer, involvement of First Nations representatives is crucial to ensure values align with local contexts.

While there are limitations, the risk of an inaccurate valuation should be weighed against the risk of no valuation at all, where significant impacts could be overlooked. This is particularly so if the associated benefit is likely to have a material impact on the analysis. [The NSW Government Guide to Cost-Benefit Analysis \(TPG23-08\)](#) offers a checklist to complete when considering benefit transfer as a valuation approach.

Partnership in valuation

Overall, non-market valuation approaches should be informed by First Nations communities and employ culturally appropriate data and collection methods. Partnership with First Nations representatives ensures First Nations people maintain sovereignty over their values and experiences, and that valuations are conducted in a self-determined and culturally appropriate way.

Further resources

- [A systematic review of non-market valuation of Indigenous peoples' values: Current knowledge, best-practice and framing questions for future research.](#) (Manero et al. 2022)

This paper provides a systematic literature review of studies of non-market valuation applied to First Nations peoples' values, both in Australia and overseas. The review describes common limitations of non-market valuation in a First Nations context and the strategies employed to overcome them. It suggests seven critical questions to ask when conducting non-market valuation in a First Nations context.

Guiding questions – valuing costs and benefits

- Why is benefit transfer being applied? Have other options for valuing difficult-to-quantify outcomes been considered?
- Does the benefit transfer seem reasonable that it can be taken to represent the values or aspirations of local First Nations communities impacted by the program? Is the benefit transfer approach supported by First Nations representatives?
- If significant benefits have not been valued but are likely to impact the analysis, is qualitative evidence available for a decision-maker to consider alongside the quantified impacts?

¹²⁶ Feather and Shaw 1999.

1.6. Assess net benefit (NPV and BCR) with sensitivity analysis

This step involves estimating the benefit-cost ratio (BCR) and net present value (NPV) results for the NSW referent group and undertaking sensitivity analysis.

The primary purpose of sensitivity analysis is to assess the robustness of results under varying assumptions. It tests how results change with different assumptions and identifies key risks and uncertainties that could significantly impact the initiative's success. This process helps decision-makers understand the range of potential outcomes.

The NSW Government Guide to Cost-Benefit Analysis (TPG23-08) outlines essential requirements and guidance for sensitivity analysis. These principles should be followed when undertaking sensitivity analysis for culturally informed initiatives.

Several assumptions are made in the forecasting of costs and benefits. These assumptions should be varied based on realistic scenarios. Realistic scenarios can be informed by qualitative evidence gathered from stakeholders, revealed or stated preference data, or other observations and evidence. Qualitative discussions with community stakeholders play an important role in understanding potential changes and impacts.

By tailoring sensitivity analysis to the unique aspects of First Nations initiatives, decision-makers can gain valuable insights into the initiative's resilience and potential risks, contributing to more informed decision-making processes.

Guiding questions – sensitivity analysis and results

- How do net benefits and BCRs compare across different initiative options?
- How do the results change when:
 - assumptions on the contribution of culture to broader outcomes change?
 - the value assigned to specific cultural benefits changes?
 - How do the results change if these benefit parameters change, particularly where benefit transfer has been applied?
- Have qualitative benefits been described for consideration of decision-makers alongside the CBA results, including possible orders of magnitude?

1.7. Assess distributional and equity impacts

This step involves assessing how an initiative will affect different sub-groups within a broader referent group, as preferences and impacts can vary depending on several demographic factors and characteristics.

A distributional analysis should provide information on the gains (benefits) and losses (disbenefits) for each sub-group. For example, preferences could vary depending on generational and cultural characteristics of individuals.

The [NSW Government Guide to Cost-Benefit Analysis \(TPG23-08\)](#) requires that distributional analysis is included in CBA as supplementary information. CBA results present the aggregated value of benefits and costs for the referent group, while the distributional analysis informs the decision-maker about what makes up the aggregated benefit and cost categories.

The [NSW Government Guide to Cost-Benefit Analysis \(TPG23-08\)](#) provides a high-level list of 'sub-groups' or 'category types' that can be included in a distributional analysis.¹²⁷ The 2022-24 NSW Implementation Plan for Closing the Gap lists a range of cohorts who are considered in Closing the Gap initiatives and describes the unique circumstances of each cohort. This includes elderly First Nations people, disabled people, LGBTIQ+ people, people living in regional and remote areas, women, and youth.¹²⁸

While distributional analysis is step 7 of CBA, it does not mean that it should be commenced after the CBA is complete. Distributional analysis could be a primary purpose of an initiative and directly relevant to identifying benefits and costs (step 3). Without identifying impacts on different subgroups early in the initiative design, it is likely that First Nations needs and aspirations have not been recognised.

Distributional analysis is based on observed data, experiences, or evidence-based assumptions for each sub-group. It may look different depending on whether the initiative is a targeted First Nations initiative or a general one with significant impacts on First Nations people and communities. Table A5 in worked example 6 illustrates how distributional analysis could be set out for different options of a hypothetical initiative to increase First Nations involvement in land management.

Guiding questions – distributional analysis

- Have a complete range of relevant subgroups who will be either directly, or indirectly, impacted been included in the distributional analysis?
- Are distributional and equity impacts being considered from the outset of the CBA process, or being addressed after the CBA has been completed? How might this affect results and assessment of impacts on sub-groups?
- What are limitations of the evidence to support a robust distributional analysis, if any?

¹²⁷ See TPG23-08 NSW Government Guide to Cost-Benefit Analysis, pg. 86, Table A5.1.

¹²⁸ NSW Government 2022, pg. 18–20.

Worked example 6: First Nations land management – distributional analysis

Depending on the scale and location of the initiative, impacts may vary for different subgroups. For this hypothetical land management initiative, consider two groups, Group A and Group B.

Group A represents a group of remote First Nations communities with limited access to economic opportunities and services. This group may face higher rates of unemployment, reliance on government support and limited job opportunities.

Group B represents a regional, or semi-urban, First Nations community located in areas with better access to infrastructure and economic opportunities. Participation rates are higher in this group and some individuals may already be employed in local industries or land management.

Table A5 illustrates an example distributional analysis of the impacts of the hypothetical initiative to Group A and Group B. Incremental costs are higher for Group A compared to Group B in both options, reflecting higher costs associated with more remote locations. When looking at incremental benefits, the benefits to Group A are greater in Option 1 than Option 2, demonstrating the contribution of self-determination and investment in community-controlled organisations to improved outcomes.

Table A5: Example of a distributional analysis for the hypothetical initiative.

	Option 1		Option 2	
	Group A	Group B	Group A	Group B
Incremental costs	\$6	\$4	\$4	\$2
Capital costs	\$3	\$1	\$2	\$0
Operating costs	\$3	\$3	\$2	\$2
Incremental benefits	\$10	\$4	\$7	\$4
Labour surplus	\$3	\$1	\$3	\$1
Avoided costs of health care	\$2	\$2	\$3	\$3
Avoided justice system costs	\$2	\$1	\$1	\$0
Additional income generation	\$3	\$0	\$0	\$0

1.8. Report results and key findings in executive summary format

This step involves presenting findings in a digestible form with key information in an executive summary. In addition to reporting high-level CBA results, it is important to summarise qualitative findings otherwise not captured in the CBA results. This ensures attention is balanced across both quantitative CBA results and qualitative insights.

Reporting qualitative impacts alongside CBA results

The [NSW Government Guide to Cost-Benefit Analysis \(TPG23-08\)](#) outlines the mandatory requirements for CBA. The executive summary should include:

- the intended purpose of the initiative
- key features of each option and the base case
- central BCR and NPV results for each option, including a breakdown of the value attributed to each key cost and benefit stream
- **significant costs and benefits that could not be quantified and an estimate of their expected impact**
- BCR and NPV results of key sensitivity analyses
- **key risks and distributional impacts decision-makers should consider.**

The executive summary should not focus solely on quantitative metrics. For initiatives with significant unquantified benefits, decision-making is best supported by drawing attention to the qualitative and distributional impacts, alongside the BCR. For example, in an evaluation of the Central Land Council Ranger Program (2021), rangers ranked the social and community benefits of their work higher than the financial and economic benefits. This is key information that should be presented in any executive summary.

Possible ways to present qualitative impacts in the executive summary could include one or more of the following:

- Provide detailed and evidence-based explanations of qualitative impacts, including a case study or real-life example to illustrate where appropriate.
- Emphasise the cultural significance of qualitative impacts, including a summary of cultural inputs and their qualitative effects. This is an opportunity to present the economic framework of culture in a concise format to demonstrate the broader importance of these impacts beyond economic or quantifiable metrics.
- Provide decision-makers with a sense of the relative magnitude of qualitative impacts of different options or scenarios. For example, if several of the options are culturally informed, but the preferred option will result in the greatest improvements in connection to culture, explain this.
- Include insights from First Nations stakeholders regarding their perspectives on the qualitative impacts and describe the partnership with First Nations stakeholders in the business case and CBA development.
- Discuss how the initiative contributes to community empowerment, self-determination and resilience of First Nations communities.

Guiding questions – reporting results and key findings

- What is the key information that the decision-maker should know to understand the results and preferred option?
- Does the summary highlight the contribution of culture and how it has informed CBA results?
- Does the summary describe the principles of partnership and self-determination applied in undertaking this CBA?
- Have the key findings in the summary been discussed with First Nations partners? How have community perspectives been reflected?

Appendix B – Definitions

Acronyms

Acronym	Definition
ACCO	Aboriginal Community Controlled Organisation
ACCHO	Aboriginal Community Controlled Health Organisation
AH&MRC	Aboriginal Health & Medical Research Council of New South Wales
AIATSIS	Australian Institute of Aboriginal and Torres Strait Islander Studies
APAR	Aboriginal Participatory Action Research
APP	Aboriginal Procurement Policy
CAPO	Coalition of Aboriginal Peak Organisations
CBA	Cost-benefit analysis
CBPR	Community Based Participatory Action Research
HREC	Human Research Ethics Committee
ICIP	Indigenous Cultural and Intellectual Property
IDG	Indigenous Data Governance
IDS	Indigenous Data Sovereignty
NCARA	NSW Coalition of Aboriginal Regional Alliances
NHMRC	National Health and Medical Research Council
OCHRE	Opportunity, Choice, Healing, Responsibility, Empowerment
RFx	Request for Quote, Request for Tender or Request for Proposal

Glossary

Term	Definition
Appraisal	<p>An assessment of an actual or potential initiative in relation to its objectives.</p> <p>The NSW Government's evidence requirements for appraisals are set out in TPP18-06 (Business Case Guidelines) and TPG23-08 (Guide to Cost-Benefit Analysis).</p>
Common pool resources	<p>Systems that generate finite quantities of resource units so that one person's use subtracts from the quantity of resource units available to others.</p>
Community-led design	<p>An approach that ensures members from a First Nations community work together in a culturally safe manner to identify common goals and aspirations, in partnership with proponents. When an initiative is community-led, First Nations people are involved from the inception of an initiative and throughout its lifecycle including in shared decision-making to ensure implementation and operation of initiatives is ethical, centres First Nations cultures and remains culturally safe.</p>
Cost-benefit analysis	<p>A holistic appraisal method that estimates the economic, social, environmental and cultural costs and benefits of an initiative.</p>
Cultural awareness	<p>A beginning step to understanding cultural differences.</p>
Cultural safety	<p>An environment where there is no assault, challenge or denial of one's identity, of who they are and what they need. It is an outcome that is defined by an individual's experience, not an output that a proponent can claim to provide.</p> <p>Cultural safety is characterised by interactions and relationships that are grounded in trust and respect, in an environment that recognises and values different cultural protocols, norms and knowledge, and is free from racism, discrimination and bias.</p>
Cultural sensitivity and responsiveness	<p>Accepting the legitimacy of difference, reflecting on the impact of one's life experience and positioning on others and making adaptations.</p>
Evaluation	<p>A systematic and transparent process that can be used to assess the appropriateness, efficiency, effectiveness or net social benefits of an initiative.</p>

Term	Definition
First Nations community/ communities	<p>First Nations people impacted by or involved in the delivery of an initiative.</p> <p>This may include service recipients or users, individuals or groups with relevant property rights, residents in a specific geographical area (suburb, town, region), people within a specific cohort, people with relevant qualifications or subject matter expertise, service providers or representative bodies.</p> <p>Proponents are responsible for exploring who makes up ‘community’ for a given initiative.</p>
First Nations initiative	<p>Any initiative where the guidance in this Framework is being applied.</p> <p>This includes both initiatives that specifically focus on outcomes for First Nations people, and general initiatives that may impact on First Nations people and communities in NSW.</p>
Initiative	<p>Any individual policy, project, program, or regulation.</p>
Monitoring	<p>A continuous and systematic process of collecting and analysing information about the implementation and impacts of an initiative.</p>
Place-based	<p>An approach that recognises the diversity of First Nations cultures across NSW and the inextricable ties between First Nations cultures and Country.</p> <p>A place-based approach is centred around the unique outcomes sought by a First Nations community that is residing in a specific location.</p>
Proponent	<p>Any government agency or other organisation (including those contracted by government) that is developing an initiative for consideration in NSW Government funding processes or undertaking an evaluation to inform future investment decisions in NSW.</p> <p>Where used in relation to an individual, this term refers to employees or other representatives of the overarching ‘proponent’ agency or organisation.</p>
Referent group	<p>Households, businesses, governments, non-government organisations and natural assets in a specified community for which the impact of government decisions or actions are measured. Under the NSW Government Guide to Cost-Benefit Analysis (TPG23-08), the referent group is New South Wales.</p>

Appendix C - References

The First Nations Investment Framework

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NSW Treasury

Published by NSW Treasury

First published October 2024

TPG24-28

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